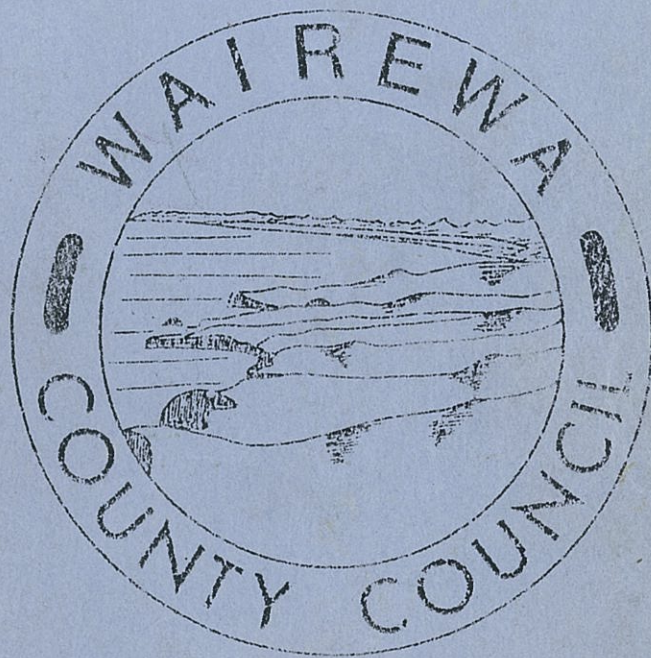


WAIREWA

COUNTY



SECOND OPERATIVE

DISTRICT SCHEME



The Town and County Planning Act 1977

BANKS PENINSULA DISTRICT COUNCIL

WAIREWA COUNTY COUNCIL DISTRICT SCHEME  
REVIEW NO. 1

SCHEME STATEMENT

CODE OF ORDINANCES

WAIREWA COUNTY COUNCIL

DISTRICT PLANNING MAPS

REVIEWED DISTRICT SCHEME



day of \_\_\_\_\_ 1989

Prepared by:

Royds Garden Limited  
Consulting Engineers & Planners  
71 Armagh Street  
CHRISTCHURCH

The Town and Country Planning Act 1977

BANKS PENINSULA DISTRICT COUNCIL

WAIREWA COUNTY COUNCIL DISTRICT SCHEME  
REVIEW NO.1

SCHEME STATEMENT

CODE OF ORDINANCES

and

DISTRICT PLANNING MAPS

As approved by resolution of the Council on the 5th day of December 1989. The Scheme shall come into operation on the 12th day of December 1989.

The Common Seal of the  
Banks Peninsula District Council  
was hereto affixed on this  
\_\_\_\_\_ day of \_\_\_\_\_ 1989



*T. Proctor* Mayor

*J. C. Stott* District Manager

## CONTENTS

	<u>Pages</u>
Scheme Statement	1 - 24
Code of Ordinance	25 - 70
Planning Maps	

### SCHEME STATEMENT

<u>Chapter</u>	<u>Title</u>	<u>Page</u>
One	INTRODUCTION TO DISTRICT SCHEME	
	1. Purposes of District Planning Scheme	1
	2. Relationship to Regional Scheme	1
	3. First District Scheme	1
	4. Documents Comprising Reviewed Scheme	2
	5. Role of Scheme Statement	2
	6. Characteristics of Planning Process	2
	7. Planning Period	3
Two	BACKGROUND INFORMATION AND PLANNING ISSUES	
	1. Description of Wairewa County	5
	2. History and Settlement Pattern	5
	3. Land Use Pattern	6
	4. Population	8
	5. Main Planning Issues	9
	(a) Role and Purpose of District Scheme	10
	(b) Rural Areas	10
	Forestry	11
	Recreation	12
Three	OBJECTIVES AND POLICIES	
	1. General Purpose of District Scheme	14
	2. Matters of National Importance	14
	3. General Planning Objectives	15
	4. Specific Objectives and Policies	16



APPENDIX A:

The Joint Hill and High Country  
Policy of the former National  
Water & Soil Organisation,  
Department of Lands & Survey  
and N.Z. Forest Service.

## CHAPTER ONE

### INTRODUCTION TO DISTRICT SCHEME

#### 1. PURPOSE OF DISTRICT PLANNING SCHEME

The Town and Country Planning Act 1977 requires every local authority to prepare a District Planning Scheme (hereinafter called a District Scheme or Scheme) for the land within its district. The general purpose of a District Scheme, as set out in Section 4 of the Act is "the wise use and management of the resources and the direction and control of the development of a district in such a way as will most effectively promote and safeguard the health, safety, convenience and the economic, cultural, social and general welfare of the people and the amenities of every part of the district". The Act also requires a local authority to recognise and provide for various matters of national importance set out in Section 3 of the Act.

This District Scheme sets out and explains the Council's particular objectives and policies for the development of Wairewa County and the controls for the use and development of land it considers necessary in implementing these. The Scheme aims to provide a rational and flexible framework for the co-ordination of land use so that private interests may pursue their activities with due regard to the interests of the community as a whole and other local authorities and central government agencies may have regard to the policies of the Wairewa County Council.

#### 2. RELATIONSHIP TO REGIONAL SCHEME

Section 37 of the Town and Country Planning Act 1977 requires the Council to give effect to the provisions of any regional scheme in force in respect of the district. In July 1979 the Wairewa County became part of the Canterbury United Council which took over the regional planning functions of the Canterbury Regional Planning Authority, and the Council is therefore covered by the provisions of a regional scheme.

#### 3. FIRST DISTRICT PLANNING SCHEME

The first District Planning Scheme of the Wairewa County was made operative on the 14th June 1974 under the Town and Country Planning Act 1953.



#### 4. DOCUMENTS COMPRISING THE FIRST REVIEWED SCHEME

The First Review of the Wairewa County Council District Planning Scheme comprises three main parts:-

- (a) The Scheme Statement - which outlines the objectives of the District Planning Scheme and the policies to achieve them and an indication of the means by which they will be implemented and achieved. The Scheme Statement is divided into a number of sections, each dealing with a particular area or sphere of activity and is accompanied by a general description of the existing situation and issues.
- (b) The Code of Ordinances - which provides for the implementation of the Objectives and Policies, and generally sets out the uses permitted on specific areas of land and the ordinances prescribing the use of land and buildings and form of development.
- (c) The Planning Maps - which show the physical distribution and location of the different land use zones, designated land, roading proposals and other public works.

#### 5. ROLE OF THE SCHEME STATEMENT

Planning and District Schemes have been moving towards placing much more emphasis on the objectives that the Scheme is trying to achieve and the policies of how to achieve these objectives, with the Code of Ordinances being merely the implementation of these Objectives and Policies. The Scheme Statement is therefore a very important part of the District Scheme in that it attempts to explain the rationale behind the various provisions.

#### 6. CHARACTERISTICS OF PLANNING PROCESS

While the style of planning in New Zealand has been evolving with a greater emphasis on policies and objectives, the District Scheme must be in accord with a number of fundamental characteristics arising from the statutory planning process:-

- (a) A District Scheme must be a realistic document, reflecting the needs and circumstances of the area, in order that an inhabitant may rely on it to deal with the issues and problems.
- (b) The matters which a District Scheme may deal with, however, are limited to those set out in the Second Schedule of the Town and Country Planning Act 1977.
- (c) Zoning is an important planning technique, one of the aims of which is to ensure a degree of protection and fairness to all. This implies reasonable certainty for all inhabitants as to how they may use their own property and how their neighbours may use theirs.



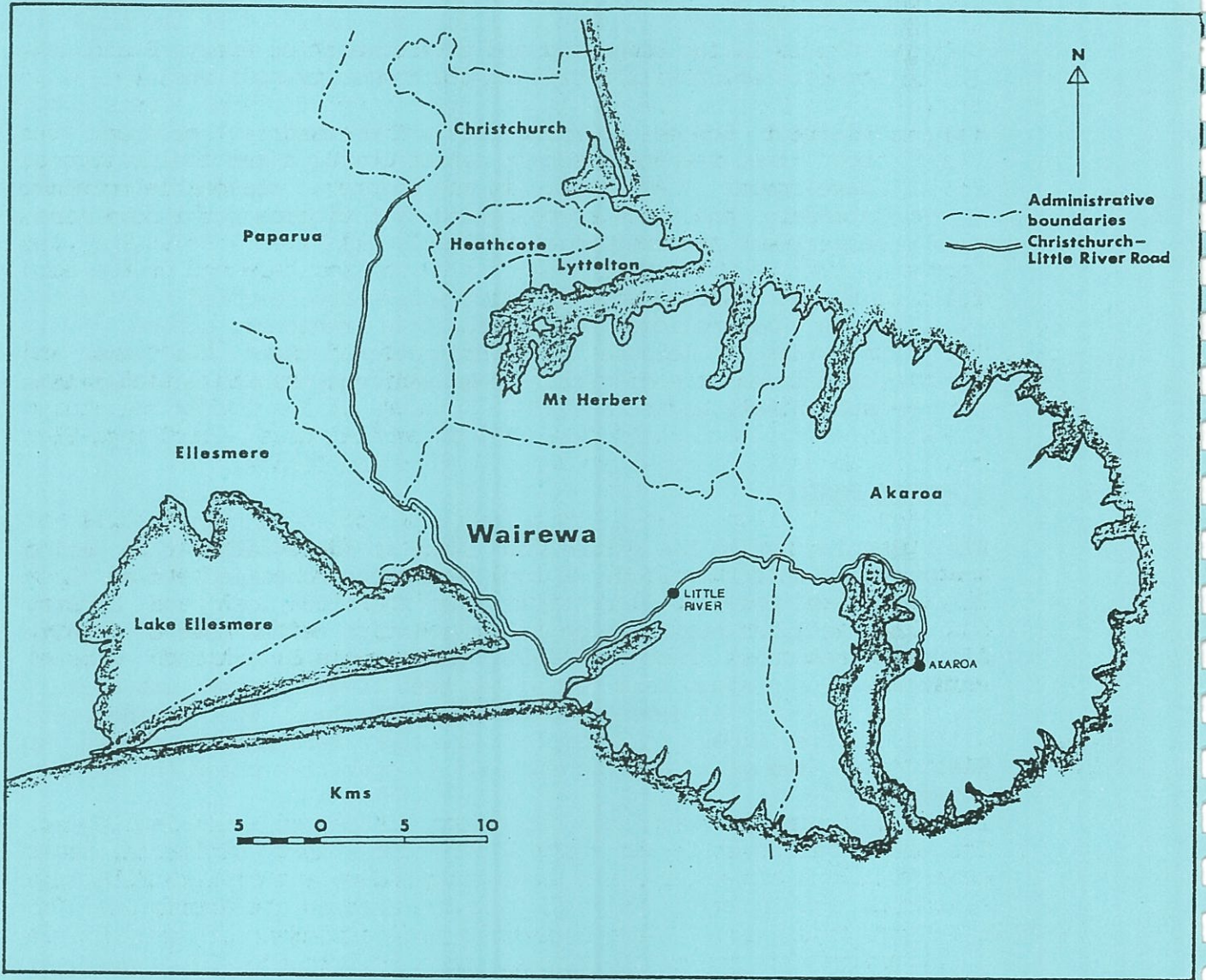
- (d) While the above represents the ideal which must be striven for, it may have to be modified by the practicalities of a given situation.
- (e) The establishment of standards is necessary if certainty is to be achieved. The extent to which standards are arbitrary must be minimised, although this may be difficult in some situations. Restriction on the freedom of the individual to use their land as they wish must be justified by the need to make a better community and environment for everyone and the benefit which will accrue to the community as a whole.
- (f) District Scheme planning does not necessarily produce "the best" land use, and a scheme cannot compel a particular type of development. At best, it can ensure a reasonable minimum standard and allow scope beyond that minimum for innovations, experiment and freedom of choice.
- (g) The provisions of a district scheme are required to comply with the policies of an operative regional scheme. This provides a measure of co-ordination between the aims and objectives of a district scheme and regional and national aims and objectives.

#### 7. PLANNING PERIOD

The planning period has varied from issue to issue rather than using an arbitrary uniform period. A long term planning period (of at least 20 years as previously required under the 1953 Town and Country Planning Act) has been used on issues relating to the uses of finite natural resources such as good quality land or the coastal environment. A short term period has been used for other issues such as some aspects of demand for services and land use arrangements within Little River for example. The short term period covers at least the five years this scheme will be operative prior to further review.

204WDS02







## CHAPTER TWO

### BACKGROUND INFORMATION AND PLANNING ISSUES

#### 1. DESCRIPTION OF WAIREWA COUNTY

Wairewa County is located on the south-west part of Banks Peninsula. The County boundary runs generally along the summit of Banks Peninsula from Gebbies Pass to the Akaroa Harbour watershed where it runs down the ridgeline to the sea at Island Bay. The Boundary then continues along the coast, taking in Peraki and Te Oka Bays and the Kaitorete Spit. Lake Forsyth, the Kaituna Lagoon and part of Lake Ellesmere are included within the County as the boundary cuts across the lake from the end of the Kaitorete Spit to the Halswell River. Following the Halswell River to Motukarara then runs up the southern end of the Port Hills to a peak west of Gebbies Pass.

The County, apart from the Kaitorete Spit and Lake Ellesmere and Forsyth, is made up of valleys and ridges running south-west, north-east. Little River is the urban centre of the County containing the County Office and residential and commercial uses. Birdlings Flat contains the main seaside settlement within the County.

As Figure 1 illustrates, Wairewa has adjacent to it the counties of Ellesmere, Papanui, Mt. Herbert and Akaroa. State Highway 75 is the main route into the County from Christchurch running between Lake Ellesmere and the Port Hills before turning inland past Lake Forsyth and Little River to Hilltop on the boundary with Akaroa County. Alternative access can be gained from Governors Bay through Gebbies Pass.

#### 2. HISTORY

The land within Wairewa County has a long history of Maori Settlement. The close association of rocky coast along Banks Peninsula, bush covered ridges and valleys and the swamps and waters of Lake Ellesmere (Waihora) and Forsyth (Wairewa) made the area an attractive one for the Maori population. There is evidence of settlement of some kind up to 700 years ago, and of the classic Maori culture from 300 years ago.

There is a large number of known archaeological sites including pa sites, burial grounds, occupation sites, workshops, middens and ovens throughout the country, but in particular along the coast, on Kaitorete spit and in the valleys. Maori associations with Wairewa remain strong today.



European Settlement coincided with a decline in the Maori population. Whalers and sealers settled on the Peninsula prior to the 1850 arrival of the Canterbury Settlers, and there were whaling stations at Hikuraki, Peraki and Ohahoa Bays. As on the rest of the Peninsula some bush had been cleared before the Europeans arrived, but this process was carried on apace to provide agricultural land and timber for fuel, shelter and construction works elsewhere in Canterbury. Mills were established, but once the majority of land had been cleared by the end of the nineteenth century this activity gave way to dairying and cropping, including the harvesting of cocksfoot grass seed.

The dairy industry reached a peak in the late 1920's, since when sheep farming became more popular. Beef cattle numbers also increased. Dairying activity has since declined, and there has recently been greater diversification into other forms of agriculture and horticulture.

Settlement and servicing are focussed on Little River. It was originally the site of Maori settlement. Later it became a service centre for the area. There was a sawmill there while the forests of the Peninsula were being cleared. Timber was initially shipped out across Lake Ellesmere and later along the Little River Railway to Christchurch. A cheese factory was in operation when the dairy industry was at its height, but has since closed down. Little River is now the administrative centre of the county.

### 3. LAND USE

The predominant land use remains livestock raising, with the emphasis on sheep, and, increasingly, beef cattle. Dairy farming has continued to decline. In 1983 there were 129 holdings, most of which were small with a few larger ones. There were about 130,000 head of sheep, 1,300 dairy cattle and 8,400 beef cattle.

The majority of the county is classified by the Ministry of Works Land Use Inventory as Class VI and is largely pastoral with some thickets of native and regenerating bush. Some of the higher areas are dry and the wetter pastureland along the lake margins are used for summer grazing.

More recent developments include deer farming in the less dry Okuti Valley and the keeping of angora goats in the Kaituna and McQueens Valleys, partly as a means of gorse control.

There are significant areas of better quality Class III land in the valleys and there is some diversification into fruit and vegetable crops in the Kaituna Valley. A small area of land is cropped for fodder and grain. Scope exists for further intensification of agricultural practices, particularly on better quality or top-dressed soils, and for further diversification.

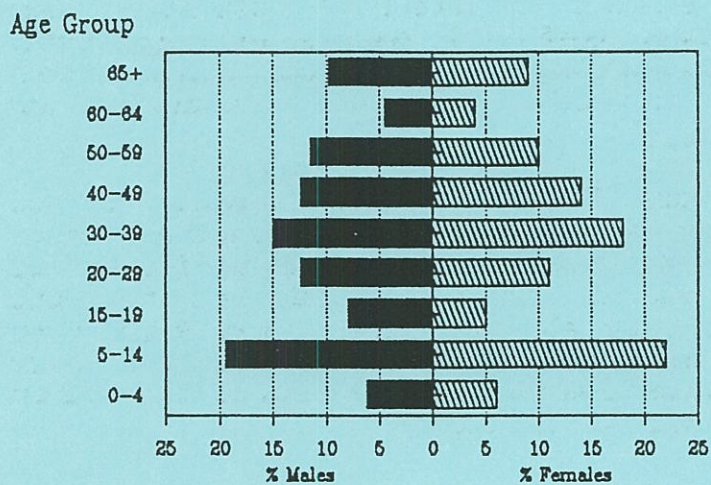
There is little exotic tree planting so far, although the area is increasing. In 1983 it was 161 hectares.



# Age-Sex Structure 1981

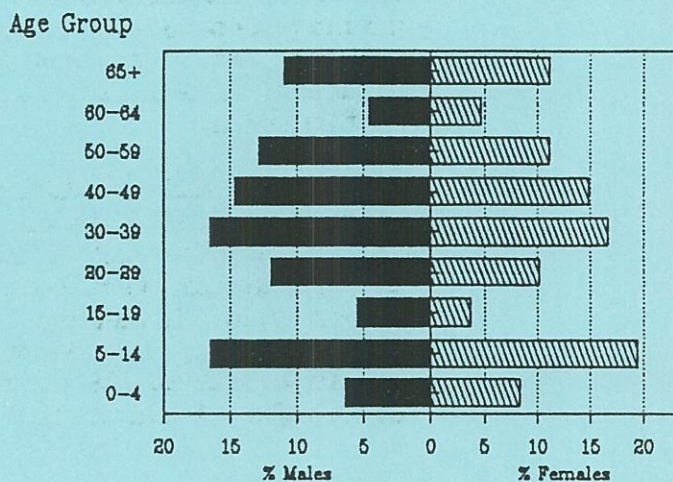
# Age-Sex Structure 1986

## Waikarewa County



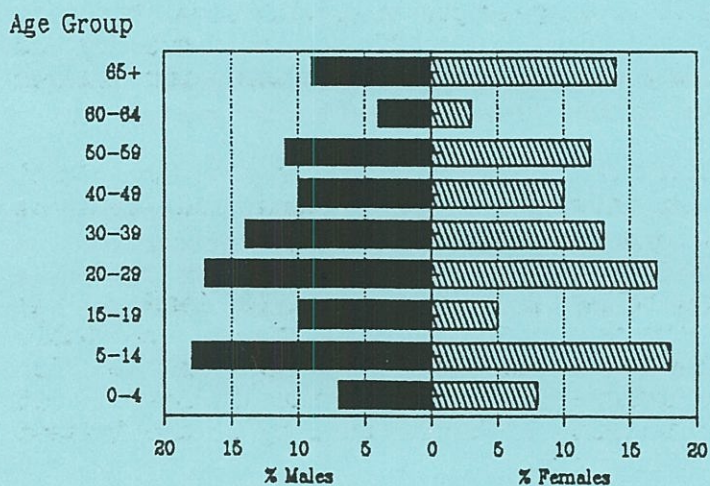
Source: Census 1981

## Waikarewa County



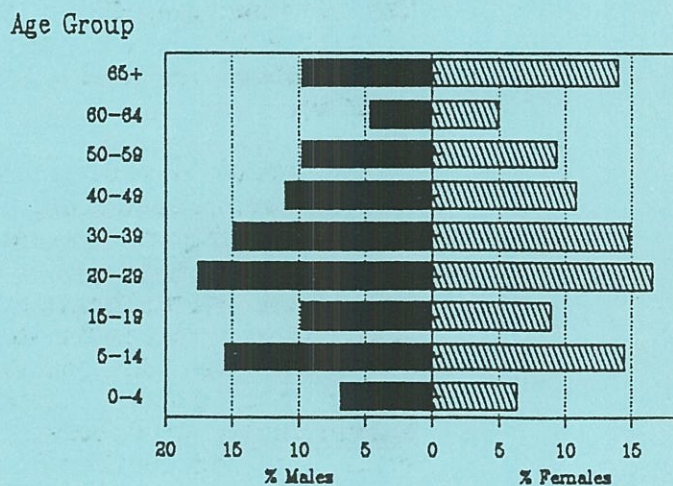
Source: Census 1986

## Canterbury



Source: Census 1981

## Canterbury Region



Source: Census 1986



4. POPULATION AND EMPLOYMENT

The 1981 census recorded a total population of 638 for Wairewa County. There has been an overall decline from the 1936 figure of 1034 as shown in Table 1.

TABLE 1  
Wairewa County Council Population Figures, 1936 - 1986

<u>Census</u>	<u>Total Population</u>	<u>Percentage Change</u>
1936	1034	
1945	895	-13.0%
1951	900	- 0.6%
1956	915	- 1.7%
1961	798	-12.8%
1966	756	- 5.3%
1971	687	- 9.1%
1976	713	+ 3.8%
1981	638	-10.5%
1986	648	+ 1.6%

*Source : Census*

Department of Statistics projections based on the 1981 population structure indicate that this general trend will continue until 1991 after which an increase is forecast. The 1991 projected figure is 530.

Of the 1981 population, 338 were male and 300 female.

The age/sex structure of the County is more heavily weighted towards the youngest and oldest age groups than the Canterbury region as a whole. See Figures.

The lower percentages in the 15-29 age groups probably represent a drift away for education and then work. The high proportion of children aged 5-14 years, while less than that for the Banks Peninsula as a whole, indicates the base for the projected increase in population after 1991.

Distribution

Little River township is the largest settlement with 170 people in 1981. The overall distribution is shown in table 2.



TABLE 2

Distribution of Population

<u>Locality</u>	<u>1981 Distribution</u>
Little River township	170
Okuti Valley	66
Kaituna Valley	64
McQueens Valley	56
Poranui (or Birdlings Flat)	53
Puaha	43
Cooptown vicinity	38
Gebbies Valley	35
Ataahua (or Kaituna)	33
Te Oka	26
Kinloch	15
Prices Valley	15
Gebbies Pass	9
Vicinity Little River	7
Peraki	5
Island Bay	2
Motukarara	1
	---
TOTAL:	638

Apart from the small settlement of Cooptown and the beach development at Birdlings Flat the rest of the population is scattered throughout the country.

Employment

Of the 207 men full-time in the labour force in 1981 123 or 60% are engaged in agriculture, forestry, or fishing. The comparable figure for women is 33 or 42% of the full-time female labour force.

This reflects the predominance of primary activities in the County. Almost all other employees were in service or administrative occupations, either within or outside the County.

5. MAIN PLANNING ISSUES

In the sections covering objectives and policies, planning issues are discussed within the explanation; however, as a means of summary, some of the main issues are set out below:-



(a) Role and Purpose of District Scheme

The general purpose of this Reviewed Scheme is to set out a clear administrative planning framework within which to provide for the wise use and management of resources and the direction and control of development.

The District Scheme deals with three main types of issues:-

- (i) Some issues will be able to be fully influenced by the District Scheme, for example, subdivision or the erection of houses. Here the Scheme Statement will provide explanatory policies and the code of ordinances and planning maps will provide the detailed controls and use provisions.
- (ii) For the second group of issues, the policies and practices of other organisations will have a more direct influence than the provisions of this scheme. For example, water and soil conservation and hill country management or the management of land within Crown Reserves. The District Scheme may deal with such issues by including policies in the Scheme Statement or endorsing the policies of other organisations but with the matter remaining substantially unaffected by any zoning controls in the Code of Ordinances and planning maps.
- (iii) A third group of issues relate to the need for the Council to have policies on matters which will be influenced by itself or other organisations under acts other than the Town and Country Planning Act 1977. Several Acts contain cross references to the relevant provisions of the district scheme. These include for example, reserves policy for subdivisions and development under the Local Government Act 1974 and policy on rivers and lakes for water conservation orders under the Water and Soil Conservation Act 1967.

(b) Rural Areas

The overall pattern of settlement and the location of residential and servicing areas will continue to be focussed on Little River and on the beach settlement at Waikakahe with provision for Cooptown to continue in its present role. With the stability of population in Wairewa, the overall pattern of settlement is unlikely to change although, because development and population changes are not occurring evenly over the whole County, particular planning issues may arise in each locality.

The County is almost entirely rural, and within easy reach of the Christchurch Metropolitan area for through traffic or recreational visitors.

Agricultural practices have evolved and developed over the years in different directions in response to changing demands



and conditions and this is likely to continue. The scheme will provide a framework for this by protecting agricultural land from unnecessary urban development, and by flexibility in determining a minimum area for rural land use. This is in recognition that more intensive activity may satisfactorily use smaller lots.

In support of the policy of protecting agricultural land and concentrating service investment, the scheme intends to concentrate fixed reticulated services in urban areas. The cost of such service provision of those locating in the rural areas shall be borne as part of that location decision.

In some parts of the County horticultural uses such as vineyards are a possibility. This in turn raises the issue of the use of sprays such as 245T on noxious weeds in pastoral farming areas and their potential harmful effects on some horticultural crops.

The Council does not consider the district scheme is the appropriate means of controlling spray damage to horticultural crops. Restricting horticulture to particular localities does not protect them from spray damage. This problem is best left to bodies such as the Agricultural Chemicals Board and the education of spray applicators.

The Council does not wish to discourage horticulture, however, it considers the noxious weed problem has priority in this issue.

The County has natural, historical and archaeological resources of varying degrees of importance, and the conservation and management of those will be an important goal of the scheme. In some cases no special action is required in the Scheme other than identification. Archaeological sites are protected under the Historic Places Act 1980.

Lake Ellesmere and its margins are wetlands of international significance for wildlife. They therefore merit conservation in the interests of both the local and wider community. This does not imply that agricultural or recreational uses are necessarily incompatible. Occasional rough grazing as is practised now, access for shooting, fishing, walking and education and similar pursuits are in the interest of conservation. Any further reclamation of land below the 1.1m contour would damage this resource.

Kaitorete Spit is a unique natural complex of dunes and native vegetation, and an important archaeological site. The existing beach settlement at its eastern end is not prejudicial but the unabated continuance of sand mining may destroy some dunes and with them archaeological evidence.

The southern coastal bays are also physically visually and historically interesting and valuable and warrant protection from unnecessary development.



(c) Forestry

Much of the upland area of the county is suitable for forestry development although there is little at present. The implications of the Canterbury United Council Regional Policy Forestry Strategy are for a considerable percentage increase in the area of planting in the Banks Peninsula as a whole. Pressure for this is likely to be greater in the western area of which Wairewa is part. There are advantages in this not only because of the value of the timber and opportunities of diversification, but also for soil and water conservation in the hilly areas, and recreational opportunities.

However, the distinctive social, historical, physical and visual character of the County requires sensitive treatment of development. As different areas of the County have differing abilities to absorb the impact of forestry, adequate consideration must be given to the visual impact of tree planting. Accordingly, all forestry shall conform to performance criteria dealing with, among other things, visual impact. The protection of the County's character and physical assets must be considered when individual decisions are called for.

Forestry development is, for visual reasons, inappropriate in the flat margins of Lake Ellesmere within the Conservation Zone and in that part of the Rural Zone between State Highway 75 and the Conservation Zone.

(d) Recreation

Wairewa County is the gateway to the Banks Peninsula for travellers along the highway from Christchurch to Akaroa. The road borders Lake Ellesmere before turning inland through Little River and crossing the divide into Akaroa at Hilltop. While the visual qualities of the hills and valleys are attractive to passing traffic there are other features of the county which are appreciated by some and which merit greater recognition in the regional context. This is both to develop recreational facilities and to conserve natural historic and agricultural assets.

Besides the mountainous topography rising to the east and north of the County, Wairewa has a remote and rocky indented coastline of a semi-wilderness nature which provides refuge for fur seals, penguins and other sea birds and is rich in archaeological interest. Lakes Ellesmere and Forsyth are used for shooting, fishing and in the latter case power boating. Birdlings Flat is a holiday home settlement and attracts visitors to the beach for fishing, walking and collecting gemstones. The bush covered valleys are attractive walking areas. The Council wishes to encourage appropriate tourist and recreational development within the County, utilising its natural assets. In particular, the position of Little River on the main tourist route through the Peninsula should be enhanced.



A number of specialist studies have considered the recreational needs and constraints of the area, in particular the Ministry of Works' Coastal Recreation Planning Study of the Banks Peninsula published in 1978, and The Coastal Resource Investigation of the Department of Lands and Survey published in 1984. It is now considered that demands on recreational resources of the Peninsula as a whole will not increase as a result of a greatly increased urban population in Christchurch, and that apart from Lake Forsyth and Birdlings Flat much of the Peninsula is too far away for day visitors.

Planning for recreational use therefore will involve ensuring that local needs for sports and other outdoor activities are met enabling the development of possible facilities for longerterm visitors to the Peninsula as a whole. These include walkways, parking and picnic areas and possible camping grounds. A satisfactory balance is sought between the conservation of natural and historic resources, the needs of agriculture and the opportunities for recreation. Public Reserves are indicated on the planning maps and will be a predominant use in all zones.

204WDS02



## CHAPTER THREE

### OBJECTIVES AND POLICIES

#### 1. GENERAL PURPOSE OF DISTRICT SCHEME

The general purpose of a District Scheme is set out in Section 4 of the Act as being:

"the wise use and management of the resources, and the direction and control of the development of a district in such a way as will most effectively promote and safeguard the health, safety, convenience, and the economic, cultural, social and general welfare of the people and the amenities of every part of the district".

Section 4 also notes that in the preparation, implementation and administration of a District Scheme regard is to be had to the principles and objectives of the Soil Conservation and Rivers Control Act 1941 and the Water and Soil Conservation Act 1967.

These purposes are expressed in general terms to apply to all districts. They form the basis of planning in each district and in each district scheme policies and ordinances must conform to these general purposes. They can be used in the administration of the scheme as a basic frame of reference against which proposals for development or the Council's decisions can be measured.

For each district these general purposes must be interpreted and applied in ways that are appropriate to the district concerned.

#### 2. MATTERS OF NATIONAL IMPORTANCE

Section 3 sets out matters of national importance which a district scheme must provide for as is appropriate to the district. The matters of national importance are:

- (a) The conservation, protection, and enhancement of the physical, cultural and social environment;
- (b) The wise use and management of New Zealand's resources;
- (c) The preservation of the natural character of the coastal environment and the margins of lakes and rivers and the protection of them from unnecessary subdivision and development;
- (d) The avoidance of encroachment of urban development on, and the protection of, land having high actual or potential value for the production of food;



- (e) The prevention of sporadic subdivision and urban development in rural areas;
- (f) The avoidance of unnecessary expansion of urban areas into rural areas in or adjoining cities;
- (g) The relationship of the Maori people and their culture and traditions with their ancestral land.

3. GENERAL PLANNING OBJECTIVES

From the general purposes of a District Planning Scheme set out in Section 4 of the Act, a number of general objectives for the scheme have been developed.

(a) Land Use

To provide a framework of land use controls which co-ordinate with other agencies, minimises conflict between incompatible uses and assists in providing for the best use of land.

(b) Amenities

To provide a standard of amenity and public health which will enhance the quality of Wairewa County as a good place in which to reside and visit.

(c) Rural Services

To co-ordinate the development and maintenance of health and social services, parks and reserves, schools, rural delivery and transport services and shopping and commercial facilities wherever practicable.

(d) Transport

To establish and maintain a safe and efficient system for the movement of people and goods.

(e) Employment

To provide for the development of a range of employment opportunities.

(f) Servicing

To maintain servicing costs and provide an economic basis for their future provision by relating the use of land to expected service capacities where necessary and the economic extension and programming of services by the authorities concerned.



(g) Rural Land

To promote the wise use and management of the land resource, to protect land of high agricultural potential and to promote increased and diversified agricultural production while at the same time conserving natural and cultural resources.

(h) District Scheme Administration

To extend the District Scheme beyond a document which is merely regulatory to one which seeks to encourage the better use of land and which addresses the land use problems of the County.

That the District Scheme and its administration be flexible enough to accommodate future beneficial changes in land use yet consistent enough so that clearly stated objectives and policies are recognised and pursued.

4. SPECIFIC OBJECTIVES AND POLICIES

A. To encourage the wise use and management of natural resources.

Policies

1. Encouragement of the use of land and water resources in a manner which sustains their beneficial characteristics.
2. Encouragement of the creation of a diversified and healthy rural economy.

Explanation

Waikare County is a sparsely populated rural area dependent on its agricultural activity and with considerable resources of natural value, which need good management. Soils, water courses and lakes, and areas of natural beauty are vulnerable and land use policies should seek to protect them in the interests of sustaining a long-term healthy rural economy.

The scheme will encourage development and diversification in land use. This will include forestry development in appropriate areas within constraints designed to protect agricultural, conservation and visual amenity, and to meet the other objectives.

B. To protect land having a high actual or potential value for the production of food.



### Policies

1. Encouraging those uses which do not require to be located or are not dependent on good quality land to lower quality land.
2. Encouragement of diversification and development of agricultural practice for food production.

### Explanation

The concept of "protecting" high quality land stems directly from Section 3 of the town and Country Planning Act 1977. There is a limited amount of better quality land in the valleys of Wairewa.

Uses which do not require the best land will probably locate elsewhere for economic reasons, but the Council will be concerned to ensure that they do so.

- C. To prevent sporadic and unnecessary subdivision (and urban development) in the rural area, while providing for that which is necessary for the maintenance of a socially and economically productive and viable rural community, but with regard to objective F.

### Policies

1. The maintenance and continued development of Little River as the centre of the County and provision for modest development at Birdlings Flat. Cooptown is expected to retain its role as a small settlement, and provision is made for this.
2. To allow the reconstruction, replacement, repair, or renovation of existing inhabitable dwellings as a predominant use.
3. Generally to allow on suitable land units the erection of a house and family flat for dependent relatives and such additional accommodation units or houses as are required for workers on that holding of land as a predominant use.
4. Except around lake and river coastal margins to provide for the subdivision of full-time, ~~part-time~~ and ~~stepping stone~~ farming units and boundary adjustments, including adjustments where the number of titles remains the same but the area of one may be reduced and that of another enlarged in order to improve the agricultural use of the land.

### Explanation

Wairewa has a small agriculturally based population and the concentration of services and urban



development in Little River is in line with Regional Strategy, economically logical for the county and will protect the rural area from unnecessary development. It is also recognised however that to maintain an economically productive and socially viable rural community it must be possible to replace existing dwellings from time to time and provide accommodation close to the place of work for agricultural workers.

Innovation and diversification in farming practice, and part-time farming can make useful contributions to the productivity of the County. Where these call for subdivisions the Council will carefully examine each proposal to ensure that it meets specific criteria laid down in the ordinances.

- D. To facilitate tree planting particularly for soil protection purposes, but also for amenity and commercial production in suitable locations, where landscape and services can absorb it.

#### Policies

1. For the purpose of planning status there will be no distinction between forestry types. All forestry will be a predominant use in the Rural Zone subject to compliance with performance criteria.
2. Forestry to the west of the Christchurch to Little River Road alongside Lake Ellesmere is not permitted.

#### Explanation

The demand for forestry development has been growing and the dissected ridge and gully landscape of the peninsula portion of the county has the capacity to absorb some of this. This can provide opportunities for agricultural diversification. However care needs to be exercised in the location and type of species planted in order to conserve the natural amenity and resources of the countryside. For this reason all forestry will be required to satisfy criteria of visual amenity, soil conservation and access provision. The prominent ridge lines and coastal margins are particularly sensitive. It is considered that monocultural production of species such as pines can be inappropriate or require amenity planting around and within it. Well-sited mixed woodlots can benefit the landscape. In the interests of conservation and amenity native bush should be retained.

There is a sharp contrast between the peninsula portion of the county and the margins of Lake Ellesmere. Afforestation near the latter would detract from the open horizontal nature of the landscape.



- E. To preserve the natural character of the coastal environment and the margins of lakes and rivers and to prevent unnecessary subdivision and development.

Policies

1. To support in principle the implementation of reserves, easements, covenants and national or local water conservation orders where these are absolutely necessary to ensure the preservation of the coastal or lake margins as a resource for wildlife, scientific features or other national characteristics. Individual cases, however, will be considered on their merits.
2. To establish a conservation zone covering the lakes, lake margins, parts of Kaitorete Spit and the coastline within which extensive grazing and controlled recreational use would be acceptable activities. This precludes unnecessary subdivision and discourages intensification of agricultural practice below the 1.1 metre contour around the lake. It is also Council policy to carefully examine any further mining of the dunes on the Spit.
3. To have specific controls relating to the beach settlement and its redevelopment at Birdlings Flat.

Explanation

The protection of the coastal environment and margins of rivers and lakes from unnecessary subdivision and development is a matter of national importance under Section 3 of the Town and Country Planning Act 1977. Much of the Wairewa coastline is remote and rocky, and development would destroy not only its character but also natural habitats and features of historic and archaeological value.

Water conservation orders are implemented under the Water and Soil Conservation Act 1967, but may be initiated by the Council.

The margins of Lake Ellesmere are currently used largely for rough grazing which is compatible with the conservation of the wetland area. In the past adjacent areas have been reclaimed for better agricultural land. It is desirable that this does not happen below the 1.1 metre contour around the edge of the lake. Kaitorete Spit is a unique geomorphological feature, of some archaeological significance and a significant area of native coastal vegetation.

- F. To support the careful, co-ordinated management of water and soil resources, particularly with regard to hill and high country.



### Policies

1. To complement the activities of the North Canterbury Catchment Board in ensuring that the use of land and water takes into account prudent management of water and soil resources.
2. To complement and support the joint policy statement by the former Department of Lands and Survey, the former NZ Forest Service and the former National Water and Soil Conservation Organisation on the conservation and management of water and soil resources for hill and high country. (The General Principles of the Policy are set out in Appendix A).

### Explanation

In the field of water and soil conservation and hill country management it is the policies and actions of agencies noted above which have the greatest impact.

There is a need for these issues to be dealt with on a coordinated regional basis backed up by specialist staffing and information and research services. It is the Council's intention to support the policies, where it is in agreement, of these specialist agencies and to be involved on a day to day basis through such mechanisms as reserve management plans, environmental impact reports, water right applications and other public participation procedures through which the County is entitled to be involved.

All water and soil conservation works are provided for as a predominant use, except those major works involving land purchase which shall be implemented by way of designation by the Catchment Board concerned.

- G. To provide for recreation both for the local community and for visitors without prejudice to the best use of agricultural land or the conservation of natural, historic, archaeological or visual resources.

### Policies

1. To protect areas of special interest or value.
2. To allow for the development of walkways, in particular along the coast from Birdlings Flat and eventually around the bays of the southern coast and along the margins of Lake Forsyth, utilising the old railway track.
3. To improve facilities at Birdlings Flat.
4. To facilitate some pedestrian access to the lake margins and Kaitorete Spit without prejudice to conservation and agricultural interests.



### Explanation

There is no great pressure for large scale development of recreation resources, and policies are aimed generally at maintaining services for local residents and providing sufficient facilities for visitors seeking to enjoy the unique natural resources of Wairewa. Selective provision of access with associated limited well-planned car parking and picnic areas, to add to those already existing, is seen as the main priority. Birdlings Flat needs some management input for improvement.

- H. The conservation of areas and objects of scientific, archaeological, historic or cultural interest.

### Policies

1. To identify and protect significant historic buildings, places and archaeological sites within the County.
2. To record historic buildings and archaeological sites in this scheme whether they be of national, regional or local importance and to provide a means for public consideration prior to any alteration, removal or destruction. See Appendix F.
3. In the implementation of the Scheme to take into account buildings, objects or areas of historic, scientific, archaeological interest which may become known after the preparation of the Scheme.

### Explanation

Wairewa is particularly rich in sites and areas with strong links with the past, and cultural associations remain strong today. It is believed that there is much more to be discovered in areas not yet explored. It is important that this heritage and related activities are considered, along with other issues, in decisions about future development.

- I. To protect the visual amenity of the County

### Policies

The Council will require development within the rural area particularly to take the impact on visual amenity into account.

### Explanation

Wairewa County shares with the rest of the Peninsula an attractive landscape of hills and gullies and also includes some of its most dramatic coastline. It is



important in retaining the character of this environment that development such as forestry in particular takes place in such a way that the effect is to enhance rather than detract from visual amenity. Similarly, any work associated with the recreational or other use of reserves should be designed with this in mind.

The western section of the county around Lake Ellesmere is characteristically flat and is worthy of retention as such.

- J. To provide flexibility within the scheme to accommodate future new land uses to the advantage of the County.

#### Policies

There are specific controls relating to those uses which require separate identification and control:

1. Factory Farming: to allow factory farming subject to appropriate controls.
2. Sale of Produce: to allow the sale of produce grown on site subject to compliance with controls relating to access, parking, signs and setback.
3. Home Occupations: to provide for a wide range of home occupations throughout rural areas subject to certain controls.

#### Explanation

All three activities can make significant contributions to the rural economy, and can help to allow people to continue living in the rural area.

- K. To provide for the continuing functioning of Little River as the social, commercial and administrative centre of the County.

#### Policies

1. The creation of a comprehensive Little River zone within which provision is made for residential, service, commercial and industrial activities subject to certain constraints as specified in the ordinances.
2. To encourage the establishment within the township of the amenities and services necessary and desirable for the servicing of this County.
3. The restriction of unnecessary subdivision and development elsewhere other than in the small settlements of Cooptown and Birdlings Flat - see Objective C and related policies.



4. All use of land in the Rural Zone within the Summit Road Protection Area shall be considered in relation to the Summit Road (Canterbury) Protection Act 1963 and shall not in any way limit or adversely affect or detract from the preservation and protection of the scenic amenities within the protection area.

Explanation

The concentration of urban facilities in Little River is in line with Regional Strategy. It is economically logical in terms of the provision of services, and will protect the rural environment from unnecessary encroachment.

It is not considered desirable or necessary to create separate zones for different uses within the township. The pressure for development is not sufficient to warrant this, but appropriate residential, industrial, commercial, recreational or other uses can be accommodated and suitably controlled within a comprehensive framework.

204WDS03



## APPENDIX A

### THE JOINT HILL AND HIGH COUNTRY POLICY OF THE FORMER NATIONAL WATER AND SOIL ORGANISATION DEPARTMENT OF LANDS AND SURVEY AND N.Z. FOREST SERVICE

#### 1. GENERAL POLICY STATEMENT

The Hill and High Country Policy is aimed at the promotion of soil conservation and water management in areas where adverse physical factors and erosion hazard cause distinct limitations for use.

Recognising that limitations and requirements vary throughout the country, this policy provides for flexibility of action within key subject areas for which policy statements are made.

The application of this policy will be primarily undertaken by catchment authorities which by virtue of their regional composition and statutory responsibilities are best equipped to assess the requirements of their districts.

The role of NWASCO is to ensure that application of the policy leads to the achievement of national objectives for the protection and management of their districts.

The complementary responsibilities of other Government departments and land administering agencies is recognised and wherever possible objectives and programmes should be fully coordinated.

#### 2. GENERAL PRINCIPLES

##### 2.1 Planning

The use of soil and water resources of any region should be planned as a whole in order to make the best present and future use of these resources.

##### 2.2 Erosion Control

Any land use practice should be within the capacity of the land to sustain that use without depletion of the soil resource and deterioration of water quality.



2.3 Grazing Management

The grazing of pastoral areas must be limited to the ability of the vegetation to sustain a level of grazing that does not promote soil erosion.

2.4 Water Management

When changes in management or development are planned, the impact of these on water quality and quantity should be considered and where necessary appropriate action taken.

2.5 Forest Management

Where there is an erosion risk, the primary aim of forest management should be for the protection of soil and water resources.

2.6 Control of Rooding, Tracking and Installations

Rooding, tracking or installations on areas susceptible to erosion must be designed to prevent any increase in soil erosion and adverse effects to water.

2.7 Recreation

When recreation activities are likely to increase erosion or water pollution or decrease the ability to control water quality action should be taken to restrain the recreational activity and/ or to control the adverse effects.

204WDS03



CONTENTS

CODE OF ORDINANCES

<u>Part</u>	<u>Title</u>	<u>Page</u>
I	INTRODUCTION	
	1. Documents comprising the Scheme	26
	2. General Obligation to Comply	26
	3. Relationship of Scheme to Other Acts, Regulations and By-laws	26
	4. Definitions	26
	5. Interpretation of Planning Maps	34
	6. Uses Not Expressly Mentioned	34
	7. Application of Provisions for the Control of Uses and Buildings	35
	8. Procedures	36
II	GENERAL	
	1. Land to be Suitable for Proposed Building or Use	40
	2. General Conditions Relating to Buildings	40
	3. Temporary Uses and Buildings Permitted in Any Zone	41
	4. Authorisation/Consents From The North Canterbury Catchment Board and Regional Water Board	41
III	RURAL ZONE	43
IV	LITTLE RIVER COMPREHENSIVE ZONE	51
V	CONSERVATION ZONE	57
VI	WAIKAKAHE SPECIAL RESIDENTIAL ZONE	58
VII	SMALL SETTLEMENT ZONE	62
VIII	SUBDIVISION	67
IX	PUBLIC UTILITIES	72
X	TRANSPORTATION AND PARKING	75
XI	BUILDINGS AND PLACES OF ARCHITECTURAL, HISTORIC, SCIENTIFIC, ARCHAEOLOGICAL OR OTHER INTEREST	80
XII	TREE PROTECTION	82
XIII	ADVERTISING SIGNS	84



APPENDICES

<u>Appendix</u>		<u>Page</u>
A	Car Parking Space Layouts	87
B	90 Percentile Design Motor Car	88
C	99 Percentile Design Motor Car	89
D	90 Percentile Design Two Axled Truck	90
E	Design Articulated Truck	91
F	Buildings and Places of Architectural, Historic, Scientific, Archaeological or Other Interest	92
G	Protected Trees	95
H	Forest Management Plan	96
I	Forest Harvest Notice	97
J	NWASCO Guidelines	98
K	Industries Requiring Segregation	99
L	Roading Hierarchy	101
M	Traffic Engineering Requirements for Stalls with Access to State Highways and/or Major Arterial Roads	102



## CODE OF ORDINANCES

### PART I : INTRODUCTION

#### 1. DOCUMENTS COMPRISING THE SCHEME

This Code of Ordinances, together with the Scheme Statement and Planning Maps, make up the First Review of the Wairewa County District Planning Scheme. A description of the purposes of these three sections of the Scheme is found in the introduction to the Scheme Statement, Chapter 1(4). Any uncertainties as to the meaning and intention of any provision of this code may be resolved by reference to the relevant chapters of the Scheme Statement.

#### 2. GENERAL OBLIGATION TO COMPLY

Subject to the provisions of the Act and all Regulations thereunder and to any modification or dispensation granted in terms of any provision to that effect in this code, no person or body shall depart or permit or suffer any departure from the requirements and provisions of this Scheme.

#### 3. RELATIONSHIP OF SCHEME TO OTHER ACTS, REGULATIONS AND BY-LAWS

The provisions of many other Acts, Regulations and By-laws or Codes of Practice may be relevant to matters dealt with by this Scheme. In general the provisions of this Scheme are in addition to, complementary to, and not in substitution for such other legislation. Where the provisions of this Scheme are inconsistent with any By-law or Code of Practice, this Scheme shall prevail.

#### 4. DEFINITIONS

Accessory Building in relation to any site means any separate building, the use of which is incidental to that of any other principal building, or use of the site, and for residential uses and houses including those in rural zones includes a sleepout, family flat, garage or carport, garden shed, glasshouse, swimming pool, mast, fence, shed or other similar structure. Any garage or carport which is attached to, or a part of, any other building shall be deemed to be part of that building.

Act means the Town and Country Planning Act 1977 and the amendments.

Access Strip in relation to a site means an area of land whether a part of the site or not extending from the road to that site, providing for permanent and legal use for ingress and egress and for services only, for that site, and includes any rights of way or access lot.



Administrative Offices see Offices.

Agricultural, horticultural and pastoral farming means any type of farming being a land based activity, having as its primary purpose the production of any livestock or vegetative matter. Provided that, for the purpose of this Scheme, agricultural, horticultural and pastoral farming shall not include forestry, factory farming, or the sale of produce from the property.

Agricultural Contracting Business means the use of an existing holding as a base for a business in which mechanical or physical work is carried out by contract for agricultural purposes.

Boundary see site boundary.

Building in addition to its ordinary and usual meaning, "building" means any structure or part of structure, whether temporary or permanent, moveable or immovable but does not include:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- Fences or walls of up to 1.8m in height, not used for advertising or for any purpose other than as a fence or wall.
- Structures less than 5 sq.m. in area and in addition less than 1.2m in height.
- Masts, poles, radio and telephone aerials less than 6m above mean ground level.
- Any vehicle, trailer, tent, caravan or boat.

Bulk Store means a building which is designed or used for the purpose of holding or containing any goods, material or substance, or any yard used for bulk storage of coal or wood, timber, bottles or any other similar thing.

Code means this Code of Ordinances.

Commercial Office see Offices.

Coverage means the portion of a site which may be covered by buildings, including accessory buildings.

Development shall have its ordinary and usual meaning except where specific reference is made to a "Development" under the Local Government Act 1974, in which case it shall take the meaning defined in the Act.

Dwelling Unit means a detached residential building or group of buildings designed for or occupied exclusively as one household and dwelling. Dwelling House and House shall have the same meaning. Where a site containing flats is subsequently subdivided into fee simple titles, the residential buildings shall, for the purpose of the Scheme, remain as flat units.



Elderly Persons Housing means housing, other than an old people's home, built for occupation by elderly and retired people under the management of the Council, the Crown or an incorporated society recognised by the Inland Revenue Department as a charitable institution, provided that such housing shall not be sold, leased, or otherwise disposed of as flats.

Factory Farming means farming involving a high energy input per unit area and which is not dependent on the fertility of the soil on which it is located and which may be mainly under building cover, such as, for example, poultry farming, pig farming, rabbit farming, mushroom farming, pot grown nursery and glasshouses which have other than an earth floor.

Family Flat means a self-contained unit used as a residence of a dependent relative of a household living in the dwelling on the site.

Farm Accessory Buildings means any separate building the use of which is incidental to any permitted farming use of a rural property, but for the purpose of these ordinances shall not include dwellings, family flats, farm workers accommodation, residential accessory buildings or shops or stalls for the sale of produce.

Farm Workers Accommodation means accommodation provided on a farm for persons employed on the property.

Flat where two or more dwelling units in the residential zone are located on one residential site, each residential building or part of a residential building designed for or occupied by a household unit shall be deemed to be a flat for the purpose of this Scheme. Provided however, that the term flat shall not include any elderly persons housing, old people's homes, boarding houses, hostels, hotels, travellers' accommodation or camping grounds. Where a site containing flat units is subsequently subdivided into fee simple titles the residential buildings shall, for the purpose of the Scheme remain flat units.

Forestry means the establishment and management of forest for soil conservation, regulation of water, production of timber or other forest produce, shelter, recreational, aesthetic or scientific purposes.

Garage means an accessory building, part of an accessory building or carport used for housing motor vehicles owned or used by persons living on the site.

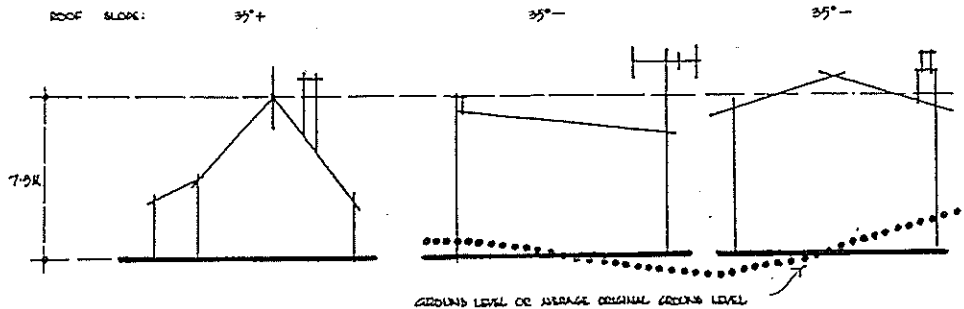
Height as applied to buildings shall be a vertical distance measured from the average original ground level along the foundation of a building facing any boundary of the site to:

- The highest point of the ridge where the roof slope exceeds 35 degrees, or
- To the highest point of the parapet, or intersection of the wall and roof in the case of a flat or sloping roof less than 35 degrees and other than a roof having a gable end, or



- In the case of a roof with a slope of less than 35 degrees the median level between the intersection of the walls and the roof and the highest points of the roof.

Provided that chimneys, ventilation shafts, water tanks, elevator lofts, steeples, towers and similar parts of a building may be excluded from the height calculations.



Holding means an area of land in one ownership, and may include a number of lots and/or titles.

Home Occupation means an occupation, business, trade, craft or profession performed entirely within a dwelling or building accessory to a dwelling, by a member of the household residing permanently on the site, which occupation, business, trade, craft or profession is an incidental and secondary part of the use of the site for rural or residential purposes. "Home Occupation" shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre-glassing, heavy trade vehicles, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitable screened area), wrought iron work or manufacture, motor body building, fish processing, massage parlour, breeding or boarding of dogs or cats or any other occupation, business, trade, craft or profession which could detract from the amenities of the neighbourhood.

Hospital means any public or private hospital in terms of the Area Health Board Act 1983 or the Private Hospitals Regulations 1964 as amended in 1985.

House see Dwelling Unit.

Industry means the use of land or buildings for the packaging, processing, assembling, sorting or manufacture of goods or materials. For the purpose of this Scheme, any industry shall be deemed to include only such storage areas, offices and showrooms as are necessary for, incidental to and a part of the industrial use established on the site. Where the term "industry" is used in this Scheme, it shall include any "service industry".

Loading Area means that part of a site within which all vehicle loading facilities required under this Code are accommodated, and includes all loading spaces, and manoeuvring areas.



Manoeuvring Area means that part of a site used by vehicles to move from the vehicle crossing to any parking or loading space and includes all driveways and aisles including part of an access strip. Parking areas and loading areas may be served in whole or in part by a common manoeuvring area.

Medical Centre means a building used in the practice of a registered medical practitioner or dentist together with other medical or allied persons.

Medical Practice means the medical practice of not more than two registered medical practitioners or dentists.

Office shall include any of the following:

- Administrative Office, those offices where the administration of an organisation, whether trading or non-trading, is conducted, including police stations.
- Commercial Office, those offices such as banks, post offices, insurance agents, typing services, duplicating services and real estate agents, being places where trade (other than that involving the immediate exchange of money for goods or the display or production of goods) is transacted.
- Professional Office, those offices such as the offices of accountants, solicitors, architects, surveyors, engineers, and medical practitioners, where a professional service is available and carried out.

Old Peoples's Home means an old people's home within the meaning of the Old People's Home Regulations 1987 and its amendments.

Open Stream, Open Watercourse or Open Drain includes every channel, whether natural or not, through which water flows continuously or intermittently.

Parking Area means that part of a site within which vehicle parking spaces required by this Code are accommodated and includes all parking spaces, manoeuvring areas and any required landscape areas.

Parking Space means an area of land formed and set aside exclusively for the parking of a motor vehicle and complying with part of this Code.

Permitted Use means any use listed by this scheme as predominant or conditional subject to compliance with all controls, restrictions, prohibitions and conditions listed in the Scheme, or permitted by any authorised discretion, or by any conditional use approval.

Place of Assembly means any building used for the public and private assembly of people primarily for worship, recreation, education or deliberation, and includes any church, church hall, sports clubrooms, clubrooms, gymnasium, pavilion, indoor sports facility, community centre or other building used for public meetings whether any such building has a club licence or not. The term place of assembly shall



not include any place of entertainment, or licensed premise (other than clubs or chartered clubs).

Place of Entertainment means any theatre, amusement parlour, dance hall or other place used principally for any public performance or public amusements whatever, whether a charge is made for admission thereto or not.

Professional Offices see Offices.

Pre-school Facilities means any place or premises used for the care, education and welfare of three or more children under the age of seven years by the day or for part of the day, and includes any child care centre within the meaning of the Child Care Regulations 1985, any free kindergarten recognised by the Minister of Education, any nursery playcentre recognised by the Director of Education and any plunket rooms.

Retail Shop means any land, building, or part of a building, on or in which goods are sold or exposed for sale, by retail or for hire, to members of the public. In addition, any land, building or part of a building on or in which retail services are offered by such trades as hairdressers, barbers, beauticians, photographers, dry-cleaners, shoe repairers, restaurateurs, laundrettes, shall be deemed to be a retail shop. The term retail shop however, shall not include any land, building or part of a building used for the sale or hire of motor vehicles, caravans, trailers, boats, or fuel, or any licensed premises other than premises being a wine shop or restaurant.

Scheme means the County of Wairewa District Planning Scheme and includes the Scheme Statement, Code of Ordinances and planning maps.

Service Lane means any service lane within the meaning of the Local Government Act 1974 and its amendments.

Service Station means any site used for the retail sale of motor spirits, lubricating oils and any other fuels for motor vehicles. The sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles shall be permitted on such a site. The mechanical repair and servicing of motor vehicles shall also be permitted provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles and domestic garden equipment and shall not include panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding.

Sign includes every advertising or business device of whatever nature whether painted, written, printed, carved, inscribed, endorsed, projected onto or otherwise fixed to or upon any building, wall, pole, structure or erection of any kind whatsoever, or onto any rock, stone, tree or other object, if such advertising or business device is visible from any public place.

Sign Area the area of any sign shall be the entire area within a continuous perimeter enclosing the extreme limits of the lettering, framework, or emblem, together with any material or colour forming an integral part of the display or used to differentiate such a sign from the background against which it is placed.



Site means:

- (a) an area of land contained within one certificate of title or other folio of the Land Transfer Register; or
- (b) any allotment, section or other parcel of land which may, without the further consent of the Council, be registered or contained in a separate certificate of title or other folio of the Land Transfer Register; or
- (c) any area of land shown as a separate allotment, section or other parcel of land on a scheme plan of subdivision that has been approved by the Council, the approval has not lapsed and any conditions of scheme plan approval relating to physical works have been complied with, so that if the Council had further approved the survey plan under the Local Government Act 1974 it would be contained in a separate certificate of title, or other folio of the Land Transfer Register; or
- (d) any site in the Birdlings Flat Special Residential Zone as defined in Planning Map 8a.

Provided that the issue of separate titles pursuant to the Unit Titles Act 1972 or a leasehold/tenancy in common scheme shall not be deemed to create a new site for the purpose of this Scheme.

Any land required to be set aside for road widening shall be excluded as part of any site for the purpose of this Scheme. "Site" includes any corner site, front site, or rear site.

- Corner Site means a site having a frontage of not less than 6m to each of two or more roads if the angle within the site between two such minimum frontages is not greater than 135 degrees.
- Front Site means a site having one frontage of not less than 6m to a road, and includes any "through site".
- Rear Site means a site which is situated generally to the rear of another having access to a road generally by means of an access strip, or which has a frontage of less than 6m.
- Through Site means a site other than a corner site, with frontage not less than 6m to two or more roads. A through site shall be deemed to be a front site for the purpose of this Code.

Site Boundary means any boundary of a site and includes any rear boundary, road boundary, front boundary, side boundary, internal boundary, or zone boundary which crosses within the site.

- Internal Boundary means any boundary of a site whatsoever other than a road boundary and includes a side boundary and a rear boundary.
- Rear Boundary in relation to any front site other than a through site, means a boundary of the site being generally parallel to a road boundary.



- Road Boundary means a boundary of a site contiguous to a boundary or proposed final boundary of any legal road (other than an access way or service lane) or access on planning map No. 8a, and front boundary shall have the same meaning.
- Side Boundary in relation to a front site or corner site means a boundary of a site generally at right angles to a road boundary.

Sleepout means a single detached bedroom used by members of the family occupying the dwelling situated on the same site. Provided no sleepout shall contain a kitchen.

Step in Plan means a break in the continuity of an exterior wall of any block or line of flats or travellers' accommodation whether of one or more storeys by stepping back any unit or units a minimum specified distance measured at right angles to the long axis of the block.

Storage Area means a building, or part of a building, required by this Scheme to be set aside for the storage of such bulky personal or household items as suitcases, bicycles and lawnmowers. Any shed used solely as a storage area may be located in an outdoor service space.

Tavern means any land or building in respect of which a tavern premises licence has been issued pursuant to the Sale of Liquor Act 1962.

Tourist House Premises means any land or building in respect of which a tourist house premises licence has been issued pursuant to the Sale of Liquor Act 1962.

Tradesmens's and Contractors' Storage Facilities means the use of any residential or farm accessory building for the storage of plant and materials in connection with the trade or occupation of an occupant of the site.

Travellers' Accommodation means any land or buildings used for transient residential accommodation and includes camping grounds, motels, holiday flats, motor and tourist lodges and all rented residential accommodation which is offered for a daily tariff (other than hotels or tourist house premises) and excludes any buildings or parts of buildings used as restaurants or other ancilliary non-residential facilities available for use by members of the general public.

Vehicle Crossing means the formed and properly constructed vehicle access from the carriageway of any road up to and including that portion of the road boundary of the site across which any vehicle access is permitted by this Code and includes any culvert, bridge or kerbing.

Vehicle Sales and Hire means the sale and hire of any motorised or non-motorised vehicle, and shall include cars, vans, trucks, farms and industrial vehicles, motor cycles, caravans, trailers and boats.

Walkway means any walking track or pedestrian accessway and includes any walkway declared or established under the New Zealand Walkways Act 1975.



Warehouse means any building or part of a building, or land where materials, articles or goods are stored pending sale to a retail outlet or trader. Any warehouse shall be deemed to include only such offices and showrooms as are necessary for, incidental to and a part of the principal use of the site as a warehouse.

Yard where any building or part of a building is required to set back from any site boundary no part of that building, unless specifically permitted by this Scheme, shall be closer to the site boundary than the minimum distance specified. The distance between the building and the site boundary shall be known as the yard. Provided however that where any road widening is required by this Scheme or otherwise in accordance with the Local Government Act 1974 and its amendments the setback shall be calculated from the proposed final site boundary.

5. INTERPRETATION OF PLANNING MAPS

All zones, designations, roading proposals and other matters dealt with in the Code are shown by distinctive notations on the Planning Maps, and unless otherwise specified or indicated on the face of each map, the following shall apply:

- 5.1 Zone boundaries shown following the sides of roads, streams, drains and other physical features shall be deemed to follow the centreline of such roads, streams, drains or physical features. Notwithstanding, however, that a zone boundary follows the centreline of any road, all roads indicated on the planning maps shall be deemed to be designated as roads.
- 5.2 The base sheets used for the planning maps were prepared for the Council from Lands and Survey Department map series. In the event of any errors or omissions in any information presented on the maps the Council shall determine the exact locations of zone boundaries.
- 5.3 Any cases where the scale of the maps does not allow precise identification of the extent of some restrictions or their exact location, symbols on the maps will draw attention to an ordinance or appendix to the Scheme.

6. USES NOT EXPRESSLY MENTIONED

Any uses not expressly mentioned in this Scheme that fall naturally within a general class of uses that is mentioned shall be deemed to be included in that class and to be authorised accordingly. Any other use not expressly mentioned shall be dealt with as if it were an unauthorised use until such time as the scheme is amended to accommodate it or a determination has been made by the Planning Tribunal under Section 153 of the Act.



7. APPLICATION OF PROVISIONS FOR THE CONTROL OF USES AND BUILDINGS

7.1 Zoning

- (a) Parts III - VI of this Code specify the types of zones within the district, with each zone specifying a list of predominant and conditional uses and bulk and location and other requirements relating to uses and buildings within that zone.
- (b) A zone statement precedes the permitted uses and buildings for each particular zone. This statement is a general description of the purposes of the zone and does not form part of the Code but is a part of the Scheme Statement and must be read in conjunction with it.
- (c) The zones listed in the Code of Ordinances are shown on the Planning Maps by distinctive notations.

7.2 Other Scheme Requirements

In addition to the requirements listed for each zone, any use or building shall also comply with all other requirements set out in this Code. These matters include those set out in:

- PART VII - Subdivision
- PART VIII - Public Utilities
- PART IX - Transportation and Parking
- PART X - Buildings and Places of Architectural, Historic, Scientific, Archaeological or Other Interest
- PART XI - Tree Protection
- PART XII - Advertising Signs

Where possible these other requirements are cross referenced.

7.3 Cross References and Notes

Where sections of the Scheme appear in brackets and begin with the word "note", the matters thereafter set are references to other portions of the scheme which are relevant, or are a further explanation of the particular provisions of the Scheme referred to. These notes themselves do not form a part of the ordinance.

7.4 Existing Uses and Buildings

Existing uses and buildings which do not comply with some provisions of this Code and which are within the scope of Section 90 and 91 of the Act may continue only to the extent authorised in those sections, unless otherwise authorised by this Code.



## 7.5 Designated Land

- (a) Any land designated for a public work in this Scheme is shown by distinctive notations on the planning maps and in some cases, an explanatory statement in the Scheme is included.
- (b) The person or body which has financial responsibility for the public work is also shown by notation on the planning map.
- (c) The use of any land or buildings within a designated area is controlled by Part VI of the Town and Country Planning Act 1977 which in general limits such uses to those designated, those lawfully in existence at the time the land was designated, and any use or building permitted in the underlying zoning and to which the person or body having financial responsibility for the work has given consent.

## 7.6 Specifically Identified Land

- (a) Any land which is specifically identified as used for purposes of value to the community but which is not intended to be owned by the Crown, the Council, or any local authority is shown by distinctive notation on the Planning Maps.
- (b) Where any land is specifically identified, a conditional use application shall be required where any work, subdivision or use within the meaning of Section 73 of the Act is inconsistent with the identified purpose. All other works, subdivisions and uses (i.e. those consistent with the identified purpose) shall be permitted provided that they comply in all respects with the provisions of the zone applicable to the site.

## 8. PROCEDURES

### 8.1 Procedure for Permitted Uses and Buildings

- (a) Where a person or body proposes to make any use of any land, erect any building or do any work in relation to any building, which would require a building permit pursuant to the Council's by-laws, in addition to the plans and information required to be supplied for the purposes of the building permit, sufficient plans and information shall be supplied to the Council to enable the Council to determine whether the use or building complies or will comply with the Scheme. Plans and information listed under (b) below will generally be sufficient.
- (b) Where any person or body proposes to make use of any land, or do work in relation to any building, which would not require a building permit, such of the following plans and information shall be supplied as are appropriate to enable the Council to determine whether the use or building complies or will comply.



Plans and information, if required by the Council, should be provided prior to the establishment of any use or carrying out of any works. The County Clerk should be contacted to check whether or not plans and information are required.

- (i) The address of the property together with a recent copy of the certificate of title relating to the site. (Note: Certificates of Title are available from the Lands and Deeds Registry, Justice Department, Christchurch.)
- (ii) A full written description of what is proposed including details such as the nature of any uses, persons employed, hours of operation, traffic generation.
- (iii) Building plans, including elevations and perspectives, height, bulk and location of buildings.
- (iv) A site plan showing such details as boundary dimensions, the location of any proposed use, existing buildings on the site and other buildings or features on adjoining sites or in the vicinity likely to be affected by the proposal, including existing and proposed drains and underground services.
- (v) Parking, loading and access points.
- (vi) Landscaping, including trees existing on the site, fencing, or any other features or requirements. Plans shall accurately show existing trees on site, their type, canopy spread and ground levels.
- (vii) In some cases levels of the site may be required particularly on hill sites.
- (viii) All plans shall be drawn to a metric scale (usually 1:100, 1:200 or 1:500) and the scale, together with the north point shall be indicated.
- (ix) A summary of the floorspace of buildings on the site together with site coverage calculations.
- (x) Any further plans or information requested by the Council.

## 8.2 Dispensations or Waivers

- (a) The Council, subject to specified limitations, may grant an application for the dispensation wholly or partly from, or waiver of, any provision of the Scheme relating to:
  - (i) The subdivision of land permitted to be used for any urban purpose (reduction in size of residential lot limited to 10%, otherwise no limit).



- (ii) The height, bulk and location of buildings permitted on sites (limited to 25% reduction or excess).
  - (iii) The provision of parking and loading spaces (no limit).
  - (iv) The design and appearance of buildings and signs and the provision, design and appearance of verandahs (no limit).
  - (v) Landscaping (no limit).
  - (vi) Such other matters as may be specified in that behalf by any regulations in force under the Act.
- (b) The Council may consent to such an application if it is satisfied that:
- (i) The dispensation or waiver would encourage better development of the site or that it is not reasonable or practicable to enforce the provision in respect of the particular site; and
  - (ii) The dispensation or waiver will not detract from the amenities of the neighbourhood and will have little town and country planning significance beyond the immediate vicinity of the land in respect of which the dispensation or waiver is sought.
- (c) Applications shall be considered without notice when the written consent has been obtained from every body or person whose interest might in the Council's opinion be prejudiced by the proposed dispensation or waiver unless in the Council's opinion, it is unreasonable in the circumstances existing to require such consent to be obtained.
- (d) Applications shall be made with notice where:
- the consent of any person or body whose interests might, in the Council's opinion, be prejudiced has not been obtained and the Council does not consider it unreasonable to require such consent to be obtained, or
  - the Council has required the application to be made with notice pursuant to Section 65 of the Act.
- (e) Any application for a dispensation shall include such plans and information as are necessary to enable the Council to assess the proposal and its effects on the neighbourhood.

### 8.3 Notified Planning Applications

- (a) Every application which is required by this Code or in accordance with the Act to be made with notice shall follow the procedure set out in the Act and the Regulations thereunder.



- (b) Every such application shall include such plans and information required under 8(1)(b) of this Part together with a written report indicating fully the nature of the application and the reasons for it.

8.4 Outline Plans for Designated Land (S.125 of the Act)

Outline plans of works to be constructed by or on behalf of the Crown or by any local authority on designated land shall be submitted to the Council for its consideration before construction is commenced, unless they have been otherwise approved under the Act. An outline plan shall show the height, shape and bulk of the work, its location on the site, the likely finished contour of the site, vehicular access and circulation, and landscaping provisions together with any other information listed above in 8(1)(b) that may be relevant to the proposed work.

8.5 Development Plans (S.293 of the Local Government Act 1974)

The plans and other documents required to accompany the notification of development will vary according to the time when notification is made.

- (a) If notification is made at the same time as the building permit is lodged for by-law and Town Planning approval, additional copies of the site plan layout plan will be sufficient.
- (b) If notification is made before the building permit is lodged, copies of the site or layout plan will be required and for commercial, industrial and administrative developments, sufficient structural details to enable an assessment of the value of the development.

8.6 Subdivision (See Part V).

204WDS05



PART II : GENERAL

1. LAND TO BE SUITABLE FOR PROPOSED BUILDING OR USE

1.1 Notwithstanding conformity with the zoning requirements of this Code and all ordinances and standards, no building shall be altered, erected or placed, and no use shall be established, on any land which is not suitable for the building or use proposed.

1.2 For the purposes of determining whether any land is suitable for any particular building or use, regard shall be had to the best use of the land and its economic servicing and development, to liability to flooding, erosion, landslip, to the stability of foundations and to safety, health and amenity.

Note: Applicants are advised that prior to the erection of any building or the establishment of any use, regard should be had to the available information on flooding held by the Council and the North Canterbury Catchment Board so that buildings may be sited to have floor levels clear of flooding.

2. GENERAL CONDITIONS RELATING TO BUILDINGS

2.1 Area of Site to Remain Clear of Buildings

Except for those listed below, no part of any building shall be located within any area of a site required by this Code to be unoccupied by buildings, nor closer to any boundary from which the scheme requires it to be set back:

(a) The eaves of any building which project no more than 0.6 metres.

2.2 Accessory Buildings on Vacant Sites

Any accessory building to a predominant use or a conditional use granted by Council may be erected on any site notwithstanding that the principal buildings have not yet been erected.

2.3 Buildings to be Erected Over Boundaries

Where any building or buildings are proposed to be erected over any site boundary the amalgamation of titles or allotments as the case may be, may be required prior to the issue of a building permit and the provisions of Section 643 of the Local Government Act 1974 applied where appropriate.



3. TEMPORARY USES AND BUILDINGS PERMITTED IN ANY ZONE

Notwithstanding anything to the contrary in this Code, the following temporary uses and buildings shall be permitted in any zone.

3.1 Temporary offices, storage sheds, builders' workshops and other similar buildings and uses, which are incidental to a building or construction project. These are permitted however only for the duration of the project or twelve months whichever is the lesser unless the written consent of the Council to a longer period is obtained.

3.2 Temporary uses and buildings for such purposes as carnivals, bazaars, public meetings and the like. These are permitted however only for a period not exceeding one month in any year unless the written consent of the Council to a longer period is obtained.

4. AUTHORISATION/CONSENTS FROM THE NORTH CANTERBURY CATCHMENT BOARD AND REGIONAL WATER BOARD

4.1 Water Rights

Water rights, pursuant to S.24 of the Water and Soil Conservation Act 1967, as administered by the North Canterbury Catchment Board and Regional Water Board, may be required for all activities involving damming, diversion, taking or using natural water or discharging natural water or natural water containing waste, or waste to natural water or onto land or into the ground in circumstances that result in that waste or any other waste emanating as a result of natural processes from that waste, entering natural water.

4.2 Watercourses

Under North Canterbury Catchment Board Bylaw No. 1 written consent of the Board is required for the erection of bridges, culverts or crossings over or through watercourses, and for the erection of structures within 7.3m of the bank of an open watercourse, open drain or stream. The Board's consent is also required before protection works are undertaken and vegetation or material removed from watercourses.

4.3 Underground Water

Written consent of the North Canterbury Catchment Board is required for making, altering or installing bores, driving of piles or dredging to a depth exceeding 8 m, or for placing or discharging any matter or thing likely to detrimentally affect the quality of underground water.

4.4 Burning Control 1982

Written consent of the North Canterbury Catchment Board, pursuant to North Canterbury Catchment Board Bylaw - Burning Control (S. 150 of the Soil Conservation and Rivers Control Act 1941) prior to burning of vegetation on all hill country land within the County.



Within Wairewa County the County Council administers this Bylaw. An application to the Wairewa County Principal Rural Fire Officer is required during the Restricted Fire Season.

STATEMENT

This is a general rural zone covering most of the County. While the zone permits the state and building throughout the rural zone, the variable nature is restricted by the application of conditions.

The major aim of the zone is to provide for the continuation of farming activities and related services. This zone will, however, encourage development and diversification in rural land use including forestry subject to such use meeting criteria designed to protect visual amenity.

PERMITTED USES

2.1 Agricultural, horticultural and pastoral farming, boarding kennels, veterinary hospitals and clinics, racing stables, beekeeping, spitzers and stockpades provided that:

(a) buildings or yards for the housing of animals shall not be located within 45 metres of a house on any other site.

2.2 Forestry, subject to compliance with the following criteria:

(a) Exotic species do not replace significant existing species of indigenous trees and shrubs.

(b) A forest management plan is submitted for lots over 2 ha per title (see Appendix I).

(c) An undertaking is given in the case of harvesting an area of over 2 ha to provide the Council with a Forest Harvest Notice two years prior to harvesting, provided that, in exceptional circumstances or with small volumes are involved, the requirements may be waived (see Appendix I).

(d) There do not cause loss of sunlight to a neighbouring owner's dwelling or increase the fire risk to such a dwelling.

(e) Forestry is not permitted in that part of the zone between State Highway 25 and the Conservancy or State Highway 25 and the Elasmere.

2.3 Country farming except on land identified on Sheets 884 and 894 of the W.E. Land Resource Inventory as Class I or Class II provided that:

(a) the factory farming activity is not located within 600 metres of a residential zone nor within 45 metres of a house on any other site.



PART III : RURAL ZONE

1. ZONE STATEMENT

This is a general rural zone covering most of the County. While the zone permits the same uses and buildings throughout the rural area, its variable nature is recognised by the application of conditions.

The major aim of the zone is to provide for the continuation of farming activities and related services. This zone will, however, encourage development and diversification in rural land use including forestry subject to such uses meeting criteria designed to protect visual amenity.

2. PREDOMINANT USES

2.1 Agricultural, horticultural and pastoral farming, boarding kennels, veterinary hospitals and clinics, racing stables, beekeeping, apiaries and stockyards provided that:

(a) Buildings or yards for the housing or keeping of animals shall not be located within 45 metres of a house on any other site.

2.2 Forestry, subject to compliance with the following criteria:

(a) Exotic species do not replace significant existing groups of indigenous trees and bush remnants.

(b) A forest management plan is submitted for lots over 2 ha per title (see Appendix H).

(c) An understanding is given in the case of harvesting an area of over 5 ha to provide the Council with a Forest Harvest Notice two years prior to harvesting, provided that in exceptional circumstances or when small volumes are involved the requirements may be waived (see Appendix I).

(d) Trees do not cause loss of sunlight to a neighbouring owner's dwelling or increase the fire risk to such a dwelling.

(e) Forestry is not permitted in that part of the zone between State Highway 75 and the Conservation Zone adjacent to Lake Ellesmere.

2.3 Factory farming except on land identified on Sheets S84 and S94 of the N.Z. Land Resource Worksheets as Class I or Class II provided that:

(a) The factory farming activity is not located within 600 metres of a residential zone nor within 45 metres of a house on any other site;



(b) The satisfactory disposal of effluent from any factory farming activity is carried out in accordance with any by-laws, regulations and the requirements of the Water and Soil Conservation Act 1967;

(c) Suitable landscaping in the vicinity of the factory farming activity is provided to the satisfaction of Council.

2.4 Agricultural and forestry research facilities, provided that this only involves the erection of those buildings which are reasonably required to be located on a rural holding.

2.5 Parks, reserves and recreation grounds owned and administered by public authorities, golf courses, public halls and walkways.

2.6 Churches, cemeteries and crematoria.

2.7 Stalls for the sale of produce grown on the holding on which the stall is situated where access to the stall is neither from a State Highway nor within 75 metres from an intersection with a State Highway, provided that:

(a) No stall shall be permitted on any road reserve;

(b) Where an existing building is to be adapted for use as a stall or a new stall is to be built then the building or stall must be located 10 metres from the road boundary;

(c) Access from the road to the stall shall be by means of a driveway a minimum of 4 metres wide with a turning and parking area designed to accommodate at least 2 cars adjacent to the stall, all constructed to all-weather standards to the satisfaction of the Council;

(d) Access onto the road shall be sited in a manner which allows the safe entry and exit of vehicles to the satisfaction of the Council;

(e) Stalls shall be designed so as to provide a structure constructed in good quality materials that is roofed and enclosed on at least three sides;

(f) Advertising and signs shall be confined to one signboard located on the property of 1.1 sq.m. (2.2 sq.m. double sided) in area carrying the name of the property, a list of the produce for sale and the words "Please Drive In".

2.8 Home occupations and craft activities accessory to existing houses (Note, see definitions) provided that:

(a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m. of floor space;

(b) No goods shall be displayed for sale and there shall be no advertising on the site;



(c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

2.9 Tradesmen's and Agricultural Contractor's Storage Facilities (see definition) provided that:

(a) The storage facilities shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

2.10 Dwelling units provided that:

(a) One dwelling unit (except as provided under Clause 11) may be erected on each separate certificate of title or other separate folio of the Land Transfer Register, or on sites approved in accordance with the subdivision ordinance of this scheme and the previous scheme, for the purposes of providing accommodation in conjunction with any predominant and approved conditional use (see definition of site). (Note: a copy of the certificate of title will be required to be submitted with any building permit application); and

(b) The certificate of title or other folio of the Land Transfer Register shall contain a stable building site and be suitable for the disposal of effluent to the satisfaction of the Council which shall consult where necessary with the North Canterbury Catchment Board and Regional Water Board.

(c) The siting of such a dwelling unit shall be considered in relation to the Summit Road (Canterbury) Protection Act 1963 where the site is within the Summit Road Protection Act.

2.11 The reconstruction, replacement, repair or renovation of existing inhabitable dwellings.

2.12 Family flat accessory to a dwelling unit, for the housing of dependent relatives (see definition), provided that:

(a) The maximum floor area shall be 80 sq.m.

2.13 Farm workers accommodation (see definition).

2.14 Public utilities (see Part ~~VII~~ IX)

2.15 Country stores, service stations, tea-rooms and machinery workshops provided that:

(a) The use and premises were in existence at the date of notification of this scheme; and

(b) Expansion of the use or buildings shall be limited to the site of the existing use and buildings.



- (c) Additions, alterations, or changes to service stations, including fuel pumps associated with other uses, shall comply with the Ministry of Transport "Standards for Service Stations" 1983.
- 2.16 Farm accessory buildings, accessory buildings for predominant uses listed above and for existing approved conditional uses.
- 2.17 River protection, flood control, drainage, erosion control and soil conservation works and shelter planting except major works involving land purchase by the North Canterbury Catchment Board.

3. CONDITIONAL USES

- 3.1 Stalls for the sale of produce grown on the holding on which the stall is situated where access to the stall is from a major arterial route (as listed in Appendix L) or within 75 metres from an intersection with a major arterial route, provided that:
  - (a) No stall shall be permitted on any road reserve;
  - (b) Where an existing building is to be adopted for use as a stall or a new stall is to be built then the building or stall must be located at least 20 metres from the road boundary;
  - (c) Access from the road to the stall shall be by means of one driveway a minimum of six metres wide between the road carriageway and a distance of ten metres inside the property boundary and thereafter a minimum of three metres wide with a turning and parking area designed to accommodate 4 cars adjacent to the stall, all constructed to all-weather standards to the satisfaction of the Council;
  - (d) Access to the stall from a major arterial route shall conform to the standard specified in Appendix M. The applicant shall pay all costs associated with the required formation and sealing of passing and deceleration lines;
  - (e) Access points shall be sited as far as possible from pronounced bends, road junctions or summits of vertical curves. The safe or desirable distance between such traffic conflict areas and the access point shall be determined by the road controlling authority and may vary from 50 to 250 metres, depending on the traffic conditions and the type of conflict or obstruction to visibility concerned;
  - (f) Stalls shall be designed so as to provide a structure constructed in good quality materials that is roofed and enclosed on at least three sides;



- (g) Advertising and signs shall be confined to one signboard located on the property of 1.1 sq.m. (2.2 sq.m. double sided) in area carrying the name of the property, the general type of produce available (i.e. vegetables, fruit or flowers) and the words "open" or "closed" on a removeable board. If only one specific variety of produce is to be sold, e.g. "strawberries" or "potatoes" it shall be permissible to use this in lieu of the general type of produce provided that the number of words on the sign does not increase.
- 3.2 Timber mills, sawmills, timber processing and any undertaking which is ancillary to the forestry and timber industries.
- 3.3 The winning and processing of materials occurring naturally in the vicinity and buildings and plant accessory to the foregoing use, provided that:
- (a) Any workings, buildings and plant do not detract from the natural character of the coastal environment and the margins of rivers, the views from any State Highway or reserve, or water and soil conservation and wildlife values. The maintenance of water and soil conservation values includes compliance with the Water and Soil Conservation Act 1967, the Soil Conservation and Rivers Control Act 1941 and the Bylaws of the North Canterbury Catchment Board and Regional Water Board.
- (b) No excavation shall take place within 10 metres of any property boundary, nor such that it cuts below a surface with a maximum gradient of 3:1 measured from a point 10 metres from the property boundary or such steeper slope (say in rock quarries) as is approved by Council;
- (c) All topsoil shall be stockpiled, the area of the workings kept to a minimum and the workings progressively restored to a reasonably natural state by levelling or backfilling where possible and by the planting of grass or trees and on completion of the work, by removal of plant and buildings.
- 3.4 Travellers accommodation, licensed hotels, tourist house license premises and places of assembly provided that:
- (a) The buildings and facilities are designed and located so as not to detract from the scenic character of the area, the views from any State Highway or reserve, or water and soil conservation and wildlife values. The maintenance of water and soil conservation values includes compliance with the Water and Soil Conservation Act 1967, the Soil Conservation and Rivers Control Act 1941 and the Bylaws of the North Canterbury Catchment Board and Regional Water Board.
- 3.5 Rural industries such as butter and cheese factories, meatworks-killing, freezing and packing or for any industry which is ancillary to farming of any kind, provided that:
- (a) The particular use has specific characteristics that make a rural location necessary or desirable;



- (b) The buildings and facilities are designed and located so as not to detract from the scenic character of the area, the views from any State Highway or reserve, or water and soil conservation and wildlife values. The maintenance of water and soil conservation values includes compliance with the Water and Soil Conservation Act 1967, the Soil Conservation and Rivers Control Act 1941 and the Bylaws of the North Canterbury Catchment Board and Regional Water Board.
- 3.6 Country stores, service stations and machinery workshops not provided for as predominant uses in Clause (2) 14.
- 3.7 Factory farming on land identified on Sheets S84 and S94 of the N.Z. Land Resource Worksheets as Class I or Class II, provided that:
- (a) The factory farming activity is not located within 600 metres of a residential zone nor within 45 metres of a house;
- (b) The satisfactory disposal of effluent from any factory farming activity is carried out in accordance with any bylaws, regulations and the requirements of the Water and Soil Conservation Act 1967;
- (c) Suitable landscaping in the vicinity of the factory farming activity is provided to the satisfaction of Council.
- 3.8 Accessory buildings for conditional uses listed above not provided for as predominant uses.

#### 4. BULK AND LOCATION REQUIREMENTS

##### 4.1 Predominant Uses

	<u>Front Yard</u>	<u>Other Yards</u>
Houses and residential accessory buildings.	7.5 m	3 m
Farm accessory buildings	7.5 m	3 m
Buildings, stalls for sale of produce - State Highways or within 75 metres of a State Highway	20 m	3 m
Other Roads	10 m	3 m
Stock loading yards		3 m
- State Highways and Major Roads	Such distance from the road that all manoeuvring, backing, and loading operations can take place off the carriageway.	



- Other Roads

Such distance from the road that all loading operations can take place off the carriageway.

Other permitted buildings

10 m          3 m

#### 4.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment the requirements for predominant uses in this zone.

#### 4.3 Open Water Courses

No building shall be erected such that any part of the building is located within 7.5 metres of the edge of any open stream, watercourse, drain or water race, except with the written approval of the Council. Before giving its approval the Council shall consult with any other local authority having control of streams, watercourses or drains in the district covered by the scheme. (Note, see By-laws of the North Canterbury Catchment Board).

#### 4.4 Houses Near Lake Ellesmere

No new dwelling unit or part of any new dwelling unit shall be sited on land less than 2.5m above the datum level of Lake Ellesmere, and the floor levels should be at least 500mm above this level.

Note: The 2.5m contour is plotted on the relevant planning maps. This ordinance is intended to reduce the danger of inundation by the waters of Lake Ellesmere either through flooding or by windlash when the lake is full. The ordinance cannot provide an absolute assurance against inundation.

Council may by way of dispensation permit a new dwelling on land no less than 2.5m above the datum level of Lake Ellesmere, provided that the minimum floor level is at least 3.150m above the datum. Council may require the applicant to have these levels fixed by a registered surveyor prior to commencing construction.

#### 4.5 Buildings Near Little River

Planning Map 6 indicates the <sup>4.88m</sup>5.08m contour in and around the Little River township. No building shall be erected with a floor level lower than the <sup>5.88.88</sup>5.08m contour level.

Note: The 5.08m contour is that recommended by the North Canterbury Catchment Board. It is not necessarily an absolute safeguard against extreme events.



4.6 Trees Near Roads

No tree, shelterbelt, amenity planting or forest shall be planted or allowed to grow in any position where it would be likely to shade a public road in a manner likely to cause icing.

4.7 Other Ordinances

- General
- Advertising Signs
- Subdivision
- Transportation and Parking
- Historic Buildings
- Trees

214WDS08



PART IV : LITTLE RIVER COMPREHENSIVE ZONE

1. ZONE STATEMENT

The purpose of this zone is to allow for the development of Little River as the service and residential centre of the County, within the physical constraints imposed by drainage and topography. Pressure for development is currently not sufficient to warrant differentiation between different use zones, but the conditional use procedure will permit the examination of nonresidential proposals on merit. Little River is illustrated on Planning Map No. 6.

2.0 PREDOMINANT USES

2.1 Dwelling Units, maximum two per site, see definitions, page 28 and 30.

- (a) Minimum Site Areas:  
1 & 2 units 800 sq.m.

Provided always that there is available sufficient area with suitable ground conditions for the disposal of effluent to the satisfaction of the Council, which shall consult where necessary with the North Canterbury Catchment Board and Regional Water Board.

- (b) For 2 dwelling units each unit shall have: an area of private open space adjacent to it, screened by walls and/or vegetation; an enclosed storage area of a minimum volume 3 cu/m readily accessible from the units; an outdoor service area for rubbish bins and washing lines of a minimum area of 12 sq/m.
- (c) The maximum length of walls, unbroken by steps in plan (minimum 2.5 metres) shall be 20 metres.
- (d) All private open space, storage facilities, garages, carports, parking spaces and outdoor service areas shall be conveniently located in relation to each other and to the units they serve.
- (e) Parking:  
Flats 1 space per unit

The above use shall be a non-notified application to the Council with plans covering the above matters at the time of application for a building permit.



- 2.2 Home occupations and craft activities accessory to existing dwelling units (see definitions, page 4) provided that:
- (a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m. of floor space;
  - (b) No goods shall be displayed for sale and there shall be no advertising on the site;
  - (c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.
- 2.3 Family flat accessory to a dwelling unit, for the housing of dependent relatives (see definition, page 3) provided that:
- (a) The maximum floor area shall be 80 sq.m.;
  - (b) Where the siting of the family flat does not comply with the siting for a second flat the applicant shall be required to enter into a suitable bond with the Council (in a form enabling it to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for the housing of a dependent relative.
- 2.4 Public utilities (see Part VI).
- 2.5 Parks, reserves and recreation grounds owned and administered by public authorities, golf courses, public halls and walkways.
- 2.6 Churches, cemeteries, and crematoria, pre-school facilities.
- 2.7 Old peoples' homes.
- 2.8 Agricultural, horticultural and pastoral farming in compliance with any by-laws provided that:
- (a) Buildings or yards for the housing or keeping of animals shall not be located within 45 metres of a house on any other site.
- 2.9 Professional offices, veterinary clinics and medical practices situated in a house permitted under this ordinance provided that:
- (a) the predominant use of the premises remains that of a house; and
  - (b) that for the purposes of the bulk and location requirements the whole of such a building shall be deemed to be a residential building; and
  - (c) in the case of veterinary clinics that animals are kept only for hospitalisation and not boarding.
- 2.10 Accessory buildings for predominant uses listed above and for existing approved conditional uses.



2.11 Tradesmens' and contractors' storage facilities (see definition, page 8) provided that:

- (a) The storage facilities shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

2.12 Denoted Commercial Area

Within the area defined on Planning Map 6 as the "Denoted Commercial Area" the following shall be predominant uses:

- (a) Places of assembly and entertainment (see definitions)
- (b) Retail shops, vehicle sales and hire
- (c) Offices
- (d) Hotels and taverns.

3. CONDITIONAL USES

3.1 Travellers' accommodation (see definitions).

3.2 Places of assembly and entertainment (see definitions).

3.3 Retail shops, vehicle sales and hire.

3.4 Service stations, repair of cycles, motorcycles, outboard and inboard marine engines, lawnmowers and similar small machines, engines and equipment. Provided that in assessing all applications for service stations the Council shall use as a guide the Ministry of Transport's "Standards for Service Stations 1983".

3.5 Administrative, commercial and professional offices.

3.6 Medical centres and practices, veterinary clinics.

3.7 Hotels, taverns and tourist house premises.

3.8 Warehouses

(For 3 - 8 above see definitions pages 5, 6, 7, 8 and 9)

3.9 Museums and libraries

3.10 Any occupation, trade, craft or business coming within the definition of a home occupation (see definition page 4) but including the retailing, advertising and display of goods from the premises)

3.11 Accessory buildings for conditional uses

3.12 Convalescent homes, hospitals, and treatment centres not included in (6) above.

3.13 Industrial uses other than any which is, or under any conditions may become noxious or dangerous in relation to adjacent properties or public places. See Appendix H.

NOTE: The Council may consult with the North Canterbury Catchment Board as to site suitability for all Conditional Uses.

4. BULK AND LOCATION

4.1 Predominant Uses

	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>	<u>Permitted Site Coverage</u>
All uses (except garages facing the road)	3m	3m	1 of 1.5 & 1 of 3m *	35%
Uses within the denoted Commercial area	-	3m	-	50%

\* Except where the required garage accommodation is provided within a dwelling house in such a way that vehicle access to the site or rear of the building is not necessary.

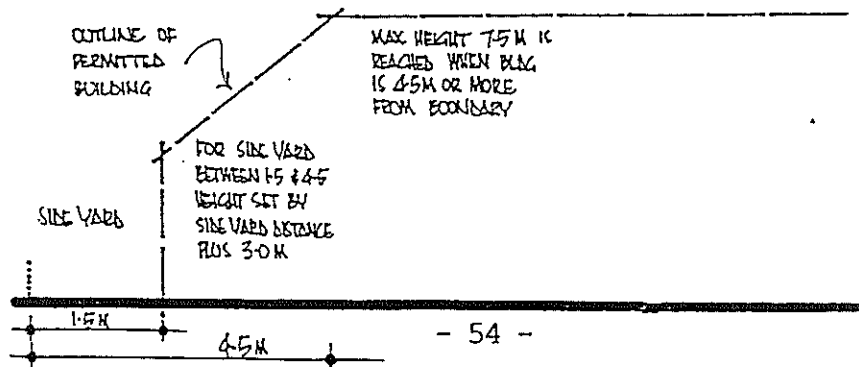
Garages

Where the vehicle opening of a garage faces the road, the garage shall be set back 6m from the frontage to provide a vehicle standing space.

- Note:
- (i) "Garage" includes a carport, whether with or without doors.
  - (ii) This ordinance applies to garages or carports attached to any other building.

	<u>Maximum Height</u>	<u>Maximum Area</u>
All uses except accessory buildings	7.5 m	-
Accessory buildings	4.5 m	85 sq/m

Provided that no building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and the nearest side boundary.





#### 4.2 Conditional Uses

##### Rear and Side Yard

All uses

4m where adjoining a residential use on another site

Attention is drawn to the requirements for parking and loading and open water courses as these may affect the coverage and location of buildings.

The Council may also impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment the requirements for predominant uses.

#### 4.3 Open Water Courses

No building shall be erected such that any part of it is located within 7.5 metres of the edge of any open stream, watercourse, drain or water race, except with the written approval of the Council. Before giving its approval the Council shall consult with any other local authority having control of streams, watercourses or drains in the district covered by the scheme. (Note, see by-laws of the North Canterbury Catchment Board).

#### 4.4 Flooding

No new building shall be erected with a floor level less than 500mm above the 4.88 metre contour. The 4.88 metre contour is plotted on Planning Map 6.

Note: The 4.88 metre contour and 500mm freeboard were recommended by the North Canterbury Catchment Board. The Catchment Board has since advised that the highest recorded flood level at the Little River Garage reached 5.38m a.m.s.l., and that it now recommends that floor levels be at least 1m above the 4.88m contour. The contour on Planning Map 6 is indicative of maximum recorded lake level only and areas further into the valley, although above a level of 4.88m plus 1m freeboard, may be affected by stream overflows.

#### 4.5 Planting

Rear and Side Yards:

Where rear or side yards adjoin a residential use the 4 metre yard shall be planted with trees and shrubs of sufficient height and bulk when mature so as to provide a screening effect between residential and commercial uses.

5. OTHER ORDINANCES

- General
- Subdivision
- Public Utilities
- Transportation and Parking
- Advertising Signs
- Historic Buildings
- Trees



PART V : CONSERVATION ZONE

1. ZONE STATEMENT

This zone covers the wetland margins of Lake Ellesmere, Lake Forsyth, and a large part of Kaitorete Spit. It is bounded on the east by State Highway 75 and its continuation to the coast at Waikakahe. Around Lake Ellesmere it includes all land below the 1.1m contour line. The intention is to protect areas of scientific, historic or cultural importance within a framework of uses compatible with this aim.

Both on building safety and aesthetic grounds new buildings are not appropriate within this area. Selective pedestrian access is desirable for recreation and educational purposes.

2. PREDOMINANT USES

- (a) Extensive rough grazing.
- (b) Reserves, walkways, picnic grounds, public car parks, provided that the provision of facilities is not detrimental to the interests of the zone.
- (c) Activities associated with fishing (excluding buildings) and shooting (including shooters' maimais).
- (d) Excavation by the County for the purpose of draining Lake Forsyth.
- (d) Excavation or closure of the outlet to Lake Ellesmere by the North Canterbury Catchment Board or other authorised agency for the purpose of managing the lake water level.
- (f) Mining of sand until 31 December 1991 to the extent permitted and subject to the conditions imposed by the Planning Tribunal pursuant to decision C67/86.

264WDS01

PART VI : BIRDLINGS FLAT

SPECIAL RESIDENTIAL ZONE

1. ZONE STATEMENT

The purpose of this zone is to make provision for the redevelopment of part of the Birdlings Flat settlement. In the past, redevelopment has been constrained by lack of a proper water supply and the unusual tenure of the land held in one lot under the umbrella of the Waikakahi Beach Association with 57 shareholders. An adequate water supply has now been established and arrangements have been made to allow for separate ownership of the various parcels of land, should this be required.

Some of the holiday cottages have been constructed on road reserve and it will be necessary for the Council to address this issue separately. Until this is resolved, redevelopment of some sites without appropriate resiting cannot be provided for. Upon future subdivision it may be necessary to grant dispensations from yard requirements to accommodate existing buildings, however, new structures or substantial additions generally will be expected to comply. The area is depicted on Planning Maps Nos 8 and 8a.

2. SPECIAL ORDINANCES

2.1 Permitted Uses

One dwelling per site and associated accessory buildings.

2.2 Bulk and Location Requirements

(a) On all sites:

Minimum front yard	4.5m
Minimum rear yard	4.5m
Minimum side yard	one of 1.5m and one of 3m
Maximum site coverage	50%
Maximum height	9m

(The recession plane requirements apply to all internal site boundaries, see Appendix L).

A garage may be provided as an integral part of a dwelling in which case the requirements for a dwelling shall apply. A separate garage may be erected in any side or rear yard and any other accessory building in any rear yard. Such buildings must not cover more than 20% of the relevant yard space and must not exceed 3.6m in height.



In the absence of any approved scheme plan of subdivision, all internal yard spaces and heights shall be calculated in terms of the site boundaries shown on Planning Map 8a. Note that this map is not intended to influence any particular pattern of subdivision. Its purpose is to provide a framework within which predominant uses can be sited to comply with the bulk and location requirements.

3. OTHER ORDINANCES

- General
- Subdivision
- Public Utilities
- Transportation and Parking

PART VII : SMALL SETTLEMENT ZONE

1. ZONE STATEMENT

The purpose of this zone is to provide for the continued contribution of Cooptown as a small settlement in the County. The remainder of the Birdlings Flat settlement next to the Waikakahi Beach Special Residential Zone is also included in these provisions. The extent of the Zone is shown on Planning Maps 7 and 8.

2. PREDOMINANT USES

2.1 Dwelling Units, maximum two per site, see definitions, page 28 and 30.

(a) Minimum Site Areas:

1 & 2 units	800 sq.m.
-------------	-----------

Provided always that there is available sufficient area with suitable ground conditions for the disposal of effluent to the satisfaction of the Council, which shall consult where necessary with the North Canterbury Catchment Board and Regional Water Board.

(b) For 2 dwelling units each unit shall have: an area of private open space adjacent to it, screened by walls and/or vegetation; an enclosed storage area of a minimum volume 3 cu.m. readily accessible from the units; an outdoor service area for rubbish bins and washing lines of a minimum area of 12 sq.m.

(c) The maximum length of walls, unbroken by steps in plan (minimum 2.5 metres) shall be 20 metres.

(d) All private open space, storage facilities, garages, carports, parking spaces and outdoor service areas shall be conveniently located in relation to each other and to the units they serve.

(e) Parking:

Flats	1 space per unit
-------	------------------

The above use shall be a non-notified application to the Council with plans covering the above matters at the time of application for a building permit.

2.2 Home occupations and craft activities accessory to existing dwelling units (see definitions, page 4) provided that:

(a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m. of floor space;



- (b) No goods shall be displayed for sale and there shall be no advertising on the site;
- (c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

Family flat accessory to a dwelling unit, for the housing of dependent relatives (see definition, page 3) provided that:

- (a) The maximum floor area shall be 80 sq.m.;
- (b) Where the siting of the family flat does not comply with the siting for a second flat the applicant shall be required to enter into a suitable bond with the Council (in a form enabling it to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for the housing of a dependent relative.

Public utilities (see Part VI).

Parks, reserves and recreation grounds owned and administered by public authorities, golf courses, public halls and walkways.

Churches, cemeteries, and pre-school facilities.

Old peoples' homes.

Agricultural, horticultural and pastoral farming in compliance with any by-laws provided that:

- (a) Buildings or yards for the housing or keeping of animals shall not be located within 45 metres of a house on any other site.

Professional offices, veterinary clinics and medical practices situated in a house permitted under this ordinance provided that:

- (a) the predominant use of the premises remains that of a house; and
- (b) that for the purposes of the bulk and location requirements the whole of such a building shall be deemed to be a residential building; and
- (c) in the case of veterinary clinics that animals are kept only for hospitalisation and not boarding.

Accessory buildings for predominant uses listed above and for existing approved conditional uses.

Tradesmen's and contractors storage facilities (see definition, page 8) provided that:

- (a) The storage facilities shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

3. CONDITIONAL USES

3.1 Travellers' accommodation (see definitions).

3.2 Places of assembly and entertainment (see definitions).

3.3 Service stations, repair of cycles, motorcycles, outboard and inboard marine engines, lawnmowers and similar small machines, engines and equipment provided that in assessing all applications for service stations the Council shall use as a guide the Ministry of Transport's "Standards for Service Stations 1983."

3.4 Medical centres and practices, veterinary clinics.

3.5 Museums and libraries.

3.6 Accessory buildings for conditional uses.

NOTE: The Council may consult with the North Canterbury Catchment Board as to site suitability for all Conditional Uses.

4. BULK AND LOCATION

4.1 Predominant Uses

	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>
All uses (except garages facing the road)	3m	3m	1 of 1.5m and 1 of 3m*

Garages

Where the vehicle opening of a garage faces the road, the garage shall be set back six metres from the frontage to provide a vehicle standing space.

Note: (i) "Garage" includes a carport, whether with or without doors.

(ii) This ordinance applies to garages or carports attached to any other building.

	<u>Maximum Height</u>	<u>Maximum Area</u>
All uses except accessory buildings	7.5 m	-
Accessory buildings	4.5 m	60 sq/m.

Provided that no building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and the nearest side boundary. (See diagram on page ....)



\* Except where the required garage accommodation is provided within a dwelling house in such a way that vehicle access to the site or rear of the building is not necessary.

	<u>Maximum Height</u>	<u>Maximum Area</u>
All uses except accessory buildings	7.5 m	-
Accessory buildings	4.5 m	85 sq/m.

Provided that no building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and the nearest side boundary.

#### 4.2 Conditional Uses

	<u>Rear and Side Yard</u>
All uses	4 m where adjoining a residential use on another site

Attention is drawn to the requirements for parking and loading and open water courses as these may affect the coverage and location of buildings.

The Council may also impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment, the requirements for predominant uses.

#### 4.3 Open Water Courses

No building shall be erected such that any part of it is located within 7.5 metres of the edge of any open stream, watercourse, drain or water race, except with the written approval of the Council. Before giving its approval the Council shall consult with any other local authority having control of streams, watercourses or drains in the district covered by the scheme. (Note, see by-laws of the North Canterbury Catchment Board).

#### 4.4 Planting - Conditional Uses

Rear and Side Yards:

Where rear or side yards adjoin a residential use the 4 metre yard shall be planted with trees and shrubs of sufficient height and bulk when mature so as to provide a screening effect between residential and commercial uses.

5. ZONING: SMALL SETTLEMENT ZONE EXTENSION - DEFERRED DEVELOPMENT

Within the part of the Small Settlement zone at Birdlings Flat, described as Lots 1-9, 14, 15, 17-24, 28, 29, 32-37, 40-43, 49-51, 54-66, DP 620 Block VIII, Ellesmere Survey District, as incorporated within the scheme by Variation No. 1, residential buildings and buildings with uses that require effluent disposal shall be permitted as a predominant or conditional use in terms of the district scheme when the zone extension deferment is lifted. The deferment of this development will be lifted when a community-based sewage reticulation and disposal system has been constructed and appropriate approvals or consents for it obtained. Until the deferment is lifted the ordinances for the Rural zone shall apply.

6. OTHER ORDINANCES

- General
- Subdivision
- Public Utilities
- Transportation and Parking
- Advertising Signs
- Historic Buildings
- Trees

025WDS07



PART VIII : SUBDIVISION

1. SUBDIVISION TO CONFORM WITH PLANNING PRINCIPLES

Notwithstanding that a proposed subdivision may comply with the requirements of this scheme in respect of frontage and area, the Council shall not approve the proposed subdivision if, in the opinion of the Council, the site is not suitable for the use proposed, or the arrangement of sites or shape of any proposed site is not in conformity with both the principles of town and country planning and the objectives and policies of this Scheme.

In determining whether a site is suitable, regard shall be had to the best use of the land, its economic servicing and development, earthquake fault lines, liability to flooding, erosion and landslip, stability of foundations and safety, health and amenities.

Note: Applicants are advised that prior to the subdivision of any land, regard should be had to the available information on flooding held by the Council and the North Canterbury Catchment Board so that buildings, particularly houses, may be sited on each lot clear of flooding.

2. UNDERGROUND RETICULATION OF ELECTRIC POWER AND TELEPHONE SERVICES

Subject to the provisions of Section 283 of the Local Government Act 1974, which requires liaison with the electricity supply authority, where any land is subdivided in any residential, commercial, or industrial zone all electric power lines and telephone services shall be reticulated underground.

3. GENERAL EXCEPTIONS TO MINIMUM STANDARD REQUIREMENTS

Notwithstanding the requirements of this Ordinance, the Council may permit a subdivision in the following cases:

- (a) Public Works - where the subdivision is for some purpose of public utility such as to provide a site for an electricity substation or drainage pump station or where the frontage or area of a site is reduced through acquisition by the Council or other public authority of part of that site for street widening; or for public reserves;
- (b) Boundary Adjustments - where the subdivision is an adjustment of boundaries and the number of titles remains the same as prior to the subdivision and where either the adjustment of boundaries will leave each of the adjusted titles of substantially the same area as before or in the case where the areas of the titles will be substantially changed, the Council is satisfied that each title could be more effectively utilised for any permitted use;

- (c) Objects or Places of Historic or Scientific Interest or Natural Beauty - where the subdivision would assist in preserving any object or place of historic or scientific interest or natural beauty (including trees). Such subdivisions will be subject to conditions designed to ensure that the purpose of the subdivision is adhered to.

4. SCHEME PLANS

Scheme plans submitted to the Council for the approval of a subdivision shall show information and be prepared as follows:

Requirements for all scheme plans:

- (a) The scheme plan shall be prepared and signed by a registered surveyor, provided that a simple subdivision of not more than two allotments with no easements may, with the Council's approval, be submitted by other than a registered surveyor;
- (b) The scheme plan shall be of the same size and generally of the same layout as is required for Title and Survey Plans;
- (c) The plan shall be drawn to an appropriate scale, complete with the north point and shall show the whole of the land held in physical continuity by the subdividing owner (when the balance area is too large to be shown, it may be indicated by a diagram at a smaller scale);
- (d) Each separate lot created, including the balance of the land under subdivision, shall be given a new number and the metric area and dimensions of allotments, new accessways, rights of way, service lanes and streets shall be shown as both including and excluding the area in any accessway or right of way. The total area of land under subdivision shall also be shown;
- (e) Adjoining lot, deposited plan and section numbers and boundaries and underlying boundaries shall be shown;
- (f) Certificate of Title references shall be shown, and if the land being subdivided is comprised in more than one Certificate of Title, title reference and title boundaries shall be shown by distinctive lines;
- (g) Title description, scale, date of preparation of plan and owner's name shall be given;
- (h) Written statement or report shall accompany each scheme plan explaining the subdivision layout and the manner in which it complies with the requirements and objectives and policies of this scheme;
- (i) And such other relevant information as may be required by Council to enable it to assess the requirements of this scheme and the provisions of the Local Government Act 1974.



The following additional clauses apply except in the rural zone:

- (j) All existing buildings and underground services on the land under subdivision shall be shown in their correct position and their use and the type of materials of which they are constructed indicated. Sufficient information shall be given to show that the buildings comply with the Ordinances of this Scheme;
- (k) Stream patterns, the extent of swamps and low lying areas and of any filled or unstable land shall be shown. Trees included in the ordinance of trees to be preserved shall be accurately fixed and the requirement to preserve same indicated on the face of the plan. Except where there are groves of trees or areas of bush where only the periphery of the grove or area shall be shown, all trees over 9 metres in height or over 6 metres in span shall be accurately plotted and the span, height and variety of tree indicated;
- (l) Where the difference in the level of the land under subdivision is greater than 2 metres, the scheme plan shall show contours of the land at a vertical interval of not more than 2 metres;
- (m) Where contours are not shown, sufficient spot levels shall be supplied to enable the Council to determine whether it is practicable for all building sites to be served with sanitary and stormwater sewers and whether satisfactory vehicular access can be obtained; and where easements are to be created a schedule of all such easements shall be shown on the face of the plan.

5. MINIMUM REQUIREMENTS

(a) Rural Zone

Agricultural, horticultural and pastoral farming purposes. Every lot created shall satisfy the following criteria:

- (i) That the size and shape of the lot and its soil type, slope, drainage, water supply and any other relevant factors affecting the lots productive potential are such as to make the lot suitable for the proposed farming use; and
- (ii) That the farming use existing or to be established on the lot will provide full time employment for at least one person or constitute a suitable unit; and
- (iii) That the lot has adequate legal and physical access to a formed public road.

*deferred  
change*

*That the lot is capable of providing full time employment for at least one person in the farming or forestry use; and*

b) Little River Zone and Small Settlement Zone

	<u>Minimum Area</u>	<u>Minimum Frontage</u>
All uses	800 sq.m. or such greater area as is required for the disposal of effluent.	15 m

Rear Sites - for rear sites the above minimum areas and frontages are exclusive of the access strips.

Access Strips - access strips (see definition) shall be of the following minimum widths and formation:

- Serving 3 or less lots - 3.5 m, metal formation
- Serving 4 or more lots - 6.0 m, sealed formation

Provided that in refusing or approving any subdivision for non residential uses the Council shall take into account the following matters and may approve site of lesser area than 800 sq.m.

- (i) The age and condition of existing buildings and the provisions made for vehicular access from the streets, loading and off-street parking;
- (ii) The provision made for drainage and other services;
- (iii) The dimensions of the site in relation to their existing use and their proposed use and layout.

c) Birdlings Flat Special Residential Zone

	<u>Minimum Uses</u>	<u>Minimum Frontage</u>
All uses	420 sq.m.	18m

6. EACH lot created shall contain a suitable area for the erection of buildings and/or the operation of uses in accordance with the requirements of the zone in which it is situated, and the objectives and policies of the Scheme.



7. RESERVE CONTRIBUTION REQUIREMENTS

These shall be as provided for in the Local Government Act 1974.

Unless there are other special circumstances, reserve contributions will be in cash rather than land in view of the large areas already vested as reserve.

In assessing the suitability of any land shown on a scheme plan as reserve the Council will consider:

- (a) The proposed purpose of the reserve.
- (b) Whether the shape, size, location, topography, orientation to the sun, access, existing vegetation and any other factors unique to the site make the land suitable for this proposed reserve.
- (c) The maintenance required for the proposed reserve.

8. WATERCOURSES, STREAMS AND DRAINS

Every subdivision of land which includes a stream, watercourse or drain, or a part thereof, or abuts upon any part of a stream, watercourse or drain, shall be submitted to all local authorities having control of streams, watercourses or drains in the district, and any requirements of any such local authority relevant to such stream, watercourse or drain or to the leading of water into such stream, watercourse or drain, may be considered as conditions upon which the subdivision is granted by the Council.

State Highway

Every subdivision of land which adjoins State Highway 75 will be submitted by the Council to the District Commissioner of Works, Christchurch, for comment pursuant to Section 279(8) of the Local Government Act 1974.

025WDS07

In having regard to the submissions and cross-submissions received Council has resolved to approve the following changes to the Wairewa Section of the Banks Peninsula Transitional District Plan.

1. AMENDMENTS TO THE SUBDIVISION RULES: PART VIII - SUBDIVISION

DELETE CLAUSE 5(a)(ii), AND SUBSTITUTE THE FOLLOWING:

- i) *That the lot is capable of providing full time employment for at least one person in the farming or forestry use; and*

2. AMENDMENTS TO THE RURAL ZONE RULES: PART III - RURAL ZONE

DELETE CLAUSES 2.10(a)(b) & (c) SUBSTITUTE THE FOLLOWING:

*A dwelling -*

*One dwelling unit may be erected on each separate holding if:*

- a) *the holding comprises a land area of 40 ha or more (except as provided under part II), or*
- b) *the holding is located on a separate certificate of title or other separate folio of the land transfer register (except as provided under Part ii) in existence prior to 28 March 1992, or on sites where subdivision consent applications were received by council prior to 28 March 1992; for providing in both circumstances accommodation in conjunction with and on the same site as any permitted or approved discretionary activity, and*
- c) *the certificate of title or other separate folio of the land transfer register contains a stable building site and is suitable for the disposal of effluent to the satisfaction of the Council, which will consult where necessary with the Canterbury Regional Council.*
- d) *siting of such a dwelling unit is considered in relation to the Summit Road (Canterbury) Protection Act 1963 where the site is within the Summit Road Protection Act area.*
- e) *siting of dwellings which will be visible from any public place, shall be so located as not to become a dominant feature on the landscape. This can be achieved by locating dwellings away from skylines and ridge lines, with buildings suitably clad or painted with appropriate colours and/or screened with vegetation.*

3. AMENDMENTS TO DISCRETIONARY ACTIVITIES: (RURAL ZONE)

ADD THE FOLLOWING TO CLAUSE 3:



### 3.9 A dwelling -

*One dwelling unit may be erected on each separate holding comprising a land area less than 40 ha. if the dwelling unit is located on the same site as any aviary, boarding kennel, veterinary hospital or clinic, racing stable, horticultural unit, pastoral and/or arable farm, factory farm, agricultural research facility, church, publicly administered reserve, recreation area or golf course, and the Council is satisfied with the data provided on each of the above that the operation on the site is capable of providing full time employment and that there is sufficient financial or other commitment to provide a realistic operation.*

### BULK AND LOCATION REQUIREMENTS (RURAL ZONE)

INSERT THE FOLLOWING AS CLAUSE 4.8

#### 4.8 Conditions Relating to Discretionary Activities in the Rural Zone

- a) *The use of any land or building shall not be permitted where the use would;*
  - i) *cause demand for the extension of public services which does not in the economic interests of the region or locality.*
  - ii) *lead to any obstruction or any other interference with the free flow of traffic on any major traffic route.*
- b) *All buildings shall be so sited, designed and maintained so as not to detract from the scenic character and visual amenities of the rural environment.*
- c) *All tailings, sawdust, spoil, waste effluent shall be disposed of to minimise damage to the property or disfigurement to the countryside.*

#### 4. AMENDMENT TO CHAPTER 3 - OBJECTIVES AND POLICIES

DELETE FROM 4 - SPECIFIC OBJECTIVES AND POLICIES C4, THE WORDS:

*"part time and stepping stone."*

PART IX : PUBLIC UTILITIES

1. The following public utility works shall be predominant uses in all zones, subject to the conditions listed.

(a) Electricity Kiosk Substation

- (i) Maximum height 2.5m and maximum floor area 6 sq.m.
- (ii) The Kiosk shall be finished in colours that blend with the surrounding neighbourhood, and the area around it landscaped and/or fenced.

(b) Electricity Building Substation

- (i) Maximum height 4m and maximum floor area 50 sq.m.
- (ii) Minimum yard requirements:
  - front yard 4.5m
  - other yards, 1.8m from the original site boundary.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped including at least 40% of the required front yard.

(c) Wastewater and Stormwater Pumping Stations

- (i) Maximum height 7.5m.
- (ii) Minimum yard requirements:

Where the building does not exceed 5m in height:

- front yard 4.5m
- other yards 3m.

Where the height of the building exceeds 5m but does not exceed 7.5m:

- front yard 6m
- other yards 6m.

- (iii) The building shall not detract from the visual amenity of the area and the land around the buildings shall be landscaped including at least 40% of the required front yard.



(d) Electricity District Substations

- (i) Maximum height of substation 4.0m.  
Maximum height of accessory structures 6.0m.
- (ii) Minimum yard requirements:
  - front yard 6m
  - other yards 3m provided that where a district substation has coolers, minimum yards shall be increased to 5m.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped.

(e) Telephone Exchanges

- (i) Maximum height 12m.
- (ii) Minimum yard requirements:
  - front yards 5m
  - other yards 6m, provided that where the height of the building exceeds 7m, other yards shall be 6.0m plus 1.4 times the height of the building in excess of 7.0m.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped.
- (iv) Parking - 1 space per 2 staff.
- (v) Loading and access - see Ordinance 15 General Ordinance on Access.

2. PUBLIC UTILITIES PERMITTED AS OF RIGHT UNDER THE ACT

Section 69 of the Act provides for the following public utilities to be permitted as of right throughout the district. The section sets out a procedure for informing the Council of the location of some of these utilities and appeal provisions for the Council. The public utilities are:

- (a) Transformers and high-voltage lines, other electric lines (other than service lines), and pylons;
- (b) Lines as defined by Section 141 of the Post Office Act 1959;
- (c) Gas, water, drainage, and sewer pipes, and necessary incidental equipment, including compressor stations associated with gas pipelines;

- (d) Pipes for the distribution and conveyance of hot water for district heating or as process heat, or ordinary or geothermal steam, and necessary incidental equipment;
- (e) Service lines for the conveyance of electricity and minor extensions of electric lines;
- (f) Household connections to gas, water, drainage, and sewer pipes;
- (g) Water and irrigation races, drains, channels, and pipes and necessary incidental equipment;
- (h) Lighthouses, navigational aids, and beacons;
- (i) Such other public utilities as may be specified in any regulations in force under this Act.



PART X : TRANSPORTATION AND PARKING

1. GENERAL

This ordinance sets out the requirements for the provision of off street parking and loading, the design and formation of parking and loading areas and trade vehicle storage areas.

2. GENERAL PROVISIONS FOR PARKING AND LOADING

2.1 Obligation of Owner and Occupier

Every owner or occupier who constructs or who substantially reconstructs, substantially alters or substantially adds to a building on any site or changes the use of any land or building shall make provision, in accordance with the requirements of this Ordinance, for the off-street parking and loading of vehicles used in conjunction with the site (whether by the occupiers, their employees or invitees or other persons).

2.2 Places of Historic or Scientific Interest and Protected Trees

The provisions of this Ordinance shall not apply where in the opinion of the Council their observance would detrimentally affect the preservation of an object or place of historic or scientific interest or natural beauty or any tree on a particular site in which case the requirements for parking and loading in respect to that site shall be determined by the Council.

2.3 Parking and Loading Spaces to be Kept Clear

All parking and loading spaces, manoeuvring areas, access drives and aisles, made available to meet the requirements of this Ordinance for off-street parking shall not be diminished by the subsequent erection of any structure, storage or goods or any other use. Parking and loading spaces shall be clearly defined and shall not be used for any other purpose.

2.4 Yard Space May Not Be Used

No parking or loading space or access aisle or manoeuvring area in respect of any site may be sited within a front, rear or side yard required for that site by the zone provisions provided that this clause shall not apply to predominant uses in the Little River Zone.

3. PARKING SPACES

3.1 Number of Spaces to be Provided

(a) Assessing Floor Area:

In assessing the number of spaces to be provided with respect to the floor area of any building, vehicle accesses, parking spaces, staircases or lift wells contained within the building shall not be included in the area. Where the number of spaces required is based on the number of employees, guests, audience, staff, tables, units of accommodation or any other factor not directly related to floor area, the developer shall indicate the total expected. The Council will have the power to re-assess the total should it be deemed unreasonably low, and base the parking requirement on the amended total.

(b) Parking Requirements:

Off-street parking requirements shall be provided at the following rates:

Houses, family flats	1 parking space
Flats	1 parking space per unit
Old peoples homes	1 parking space per 5 guest beds plus 1 parking space per 2 staff
Schools	1 parking space per staff member
Hospitals, convalescent homes	1 parking space per 5 beds plus 1 parking space per 2 staff
Places of assembly having a liquor licence	20 parking spaces per 100 sq.m. of public floor area
Other places of assembly and entertainment	10 parking spaces per 100 sq.m. of public floor area
Pre-school facilities	1 parking space per staff member
Administrative, commercial and professional offices	2 parking spaces per 100 sq.m. of parking area
Medical practices and centres	3 parking spaces per professional person plus 1 space per 2 staff
Retail shops and warehouse showroom	1 parking space per 30 sq/m of building area
Professional offices and veterinary clinics situated in a residential building	3 parking spaces
Hotels and Taverns	20 parking spaces per 100 sq/m of public area plus one parking space per 5 beds
Industries, warehouses and bulk stores	1 parking space per 100 sq.m.



Vehicle sales and hire	1 parking space per 300 sq/m of display area
Service Stations	1 parking space per 50 sq/m of building area.
Stalls for the sale of produce grown on the holding on which the stall is situated	4 parking spaces where the stall has access to a State Highway or a major arterial route, otherwise 2 parking spaces.

### 3.2 Jointly Used Parking Areas

Council may permit two or more developers to construct a parking area for their common use, the number of spaces to be the sum of their individual requirements unless it can be shown that the parking demand of one or more of the developers occurs at a different time of day from that of the remaining developers. In this case a partial or complete dispensation may be allowed in respect of the parking requirement for one or more developers.

The Council reserves the right to re-impose the individual requirement should circumstances change with respect to the right of any developer, owner or occupier to use the joint parking area, and may require the parties concerned to enter into a legally binding agreement, acknowledging their responsibility to provide and maintain the amount of parking required under this Code.

### 3.3 Amalgamation of Titles

Where all or any part of a parking area is provided on a separate site from the use or building for which that parking area is required the Council may require the titles concerned to be amalgamated. Where the Council is satisfied that there is no likelihood of a parking area being disposed of to another owner, the Council will permit the creation of a joint parking area.

### 3.4 Dispensations from Parking Standards

The off-street parking standards may be varied by dispensation where one or more of the following aspects means that a reduced number of spaces will continue to provide off street parking for all vehicles generated by the uses on the site:

- (a) The number of workers likely to be employed on the site.
- (b) The number of calls likely to be made by servicing and delivery vehicles to the site.
- (c) The number of calls likely to be made by visitors in cars to the site.
- (d) The amount, if any, of public off-street or on-street parking that may, or is planned to be, available in the neighbourhood.

- (e) Any physical characteristics of the site or adjoining streets that may affect the ability of the site to provide for off-street parking.
- (f) The likelihood of future change or intensification of land use on the site.

Provided that the Council may require the owner or developer to enter into an agreement that additional parking be provided in the future should the nature of the use change or develop such that additional parking is necessary.

### 3.5 Design of Parking Areas

#### (a) Design Vehicles:

Parking areas shall be laid out in accordance with Appendix A. Manoeuvring areas shall accommodate the 90 Percentile design motor car as shown in Appendix B.

### 3.6 Provision of Barriers or Kerbs

Vehicles shall be prevented by means of permanent barriers or kerbs provided on the site from entering or leaving any site except by vehicle crossings provided, and from encroaching onto or over footpaths, and onto required landscape areas and from damaging boundary fences.

## 4. LOADING

### 4.1 Obligation to Provide

On all commercial or industrial sites, adequate provision shall be made for the loading of goods associated with the site. All such loading areas shall be provided on the site, or sufficiently close to the site (but not on any road or service lane) to ensure the ready use of such loading facilities by vehicles in conjunction with the site.

### 4.2 Dispensations from Loading Provision

Where the configuration of the site precludes the provision of off-street loading, or the floor area of the building is less than 20 sq.m., and the site is not part of a major development, the kerbside loading would not cause undue hazard, the Council may waive the loading requirements.

### 4.3 Design of Loading Area

Loading areas shall accommodate the 90 percentile design two axled truck as shown in Appendix D provided that by dispensation the Council may consent to this being reduced to a 99 percentile design motor car, as shown in Appendix C, where the use of the site does not or cannot require the service of a two axled truck.



5. TRADE VEHICLE STORAGE AREAS

5.1 Obligations to Provide

For commercial or industrial uses, provision shall be made for the storage of all trade vehicles (including passenger service vehicles) normally involved with the use, on the site, or a nearby site. Where it can be shown that the demand for storage of trade vehicles occurs at different times from the demand for parking or loading, the Council may allow all or part of any parking or loading area to be used for the storage of trade vehicles.

6. DRAINAGE AND SURFACE OF PARKING, LOADING, ACCESS AND MANOEUVRING AREAS

6.1 Drainage

Stormwater originating from parking, loading, access and manoeuvring areas shall be adequately disposed of either within the site or by pipe to an approved outlet.

6.2 Surface

The surface of all parking, loading, access and manoeuvring areas shall be formed, sealed or otherwise maintained so as not to create a dust nuisance and to ensure that material such as mud, stone chips, or gravel is not carried onto any public footpath, road or service lane.

025WDS08

PART XI : PLACES OF ARCHITECTURAL, HISTORIC, SCIENTIFIC  
ARCHAEOLOGICAL OR OTHER INTEREST

1. The provisions of this Part shall apply to any land specifically identified in Appendix F of the Scheme as occupied by a building or place having architectural, historical, scientific, archaeological or other interest or visual significance to the community but which is not intended to be owned by the Crown, Council or any local authority.
2. Notwithstanding that the use, work or subdivision is permitted as of right, no person shall wilfully destroy, remove, damage or alter any listed building or feature on any land specifically identified in Appendix F except as provided under 4(b) below.

3. PREDOMINANT USES, BUILDINGS, WORKS AND SUBDIVISIONS ON IDENTIFIED LAND

- (a) All uses, buildings and subdivisions listed as predominant in the zone in which the land is situated provided that such uses, buildings and subdivisions comply with the requirements and standards relating to them.
- (b) Works on any listed building or feature on land specifically identified shall be limited to:
  - (i) The redecoration and restoration of any original fabric or detailing, provided that it is carried out in the same manner and design and with similar materials to those originally used, and does not adversely affect any architectural, historic, scientific or other feature of the building as listed in Appendix F.
  - (ii) Minor works of repair, alteration or addition which are in character with and do not adversely affect the building or any feature of the building as listed in Appendix F etc.

4. CONDITIONAL USES, BUILDINGS, WORKS AND SUBDIVISIONS ON IDENTIFIED LAND

- (a) Any use other than a predominant use in the zone in which the specifically identified land is located, shall be permitted as a conditional use in any listed building or place.

In considering applications for conditional uses the Council shall have regard to the benefits of retaining the building against the effects of any particular use proposed, by having regard to:

- (i) Those matters set out in Section 72 of the Act.



- (ii) The general objectives, policies, and the integrity of the Scheme.
  - (iii) The economic uses and maintenance of the listed buildings.
  - (iv) The reasons for which the building or feature is listed.
- (b) Demolition, removal or other works which adversely affect buildings or features listed in Appendix F.

In considering applications for conditional uses the Council shall, in particular, have regard to:

- (i) Those matters set out in Section 72 of the Act.
- (ii) The reasons for which the building or feature is listed.
- (iii) The economic use of the listed building.
- (iv) The importance of the proposed work.

5. RECORD OF BUILDINGS

Where buildings have been listed in Appendix F as being worthy of recording, written notice of not less than three months shall be given to the Council prior to demolition or any other alteration or change to any place or building that would affect its character or the features for which it is listed. Provided that the Council may consent to a reduced period of notification when it is satisfied that the item has been adequately recorded. During the period of the notice the Council, its agents and employees shall have reasonable access to the item for recording its features.

025WDS08

0234210

PART XII : TREE PROTECTION

1. TREE PROTECTION, CONSERVATION AND REPLANTING

- (a) No person or body shall destroy, remove, damage or otherwise adversely affect any tree or trees listed in Appendix G.
- (b) Where further trees are identified as being notable for reasons indicated in the Scheme Statement the Council shall add to the list in Appendix G by initiating a scheme change.
- (c) Any tree required by this Code to be preserved and maintained may be marked with a plaque identifying the tree.
- (d) Any person or body wishing to remove any listed tree or carry out any major tree surgery, pruning or groundworks within the crown periphery (dripline) of the tree shall, prior to commencing any such work on or in the vicinity of the tree, obtain the consent of the Council.

The application shall be made without public notice and the Council may request the comments of any person or body whose interests might in the Council's opinion be prejudicially affect, or who were consulted at the time the tree was listed in Appendix G.

The Council may at its discretion consent to any application under this part of this Code where any one or more of the following conditions is established to its satisfaction:

- (i) The trees are dead, dying, diseased, or have lost the essential qualities for which they were originally protected.
  - (ii) The tree or trees have become a danger to the public.
  - (iii) The tree or trees interfere with essential public utilities or important public construction work.
  - (iv) The tree or trees are required to be removed from drainage systems, water courses, streams or rivers.
  - (v) The tree or trees are causing serious damage to buildings or property, public or privately owned.
  - (vi) The tree or trees would seriously restrict redevelopment of the site which would have a more advantageous affect on the amenities of the area.
- (e) Where trees are removed the Council may require arrangements to be made for suitable replacement plantings.



- (f) Where in any case the Council refuses its consent to any application under this Part the application may in accordance with Section 69 of the Act appeal to the Planning Tribunal.

045WDS01

PART XIII : ADVERTISING SIGNS

1. GENERAL

1.1 No sign shall be erected or displayed without obtaining the approval of the Council, as a non notified application, in terms of this ordinance.

1.2 Signs, as defined in the definitions, shall be limited to those displayed in connection with any permitted building or use in the zone and shall, unless allowed for special reasons by the Council as a result of a non notified application, be located on the property to which they relate.

2. GENERAL CRITERIA FOR ASSESSMENT OF APPLICATIONS FOR SIGNS

Before approving any application the Council must be satisfied that a proposed sign will not:

2.1 Affect detrimentally traffic safety or traffic control;

- that it will not create a visual obstruction or cause confusion to the driver of any vehicle, or
- that it will not create a situation hazardous to the safe movement or direction of traffic.

In particular, reflective or illuminated signs will not be permitted where such signs could, in the opinion of Council, prove to be confusing or distracting to motorists.

2.2 Affect detrimentally the amenities or any land or property, or

- that it will tend to depreciate the value of adjoining property, or
- that it will be visually inappropriate to the neighbourhood.

It is the Council's intention to permit signs which have pleasant visual properties and are necessary to inform the general public and which do not detract from the amenities of the area. In considering an application for a sign, the Council will have regard to the following criteria:

- the structure of the sign; the method of support and fixing in general should either be obscured by, or incorporated in the main body of the sign.
- the relationship with other signs and elements; the proposed sign should not contribute to a collective effect of clutter in its



vicinity. In areas where there is either an overall absence of signs or a common design or theme, any new sign should not detract from the existing character.

- the effect on residential, rural or recreational land; signs should not be obtrusively visible from these areas.
- the scale, form or harmony of signs in relation to the building or place where the sign is to be erected and the immediate area, and the wider area within the influence of the sign.
- the size of the sign in relation to the size of the building(s) or site(s) that the sign relates to.
- the necessity for the sign to provide information for the general public.

### 3. SIGNS PERMITTED WITHIN ZONES

#### Rural Zone, Small Settlement Zone, and Little River Comprehensive Zone - Except in Denoted Commercial Area

- (a) A sign not exceeding 1.1 square metres in area for any public purpose or in connection with and on the same site as any of the following uses:
  - recreation reserves
  - churches and other places of assembly
  - museums and educational institutions
  - hospitals and community buildings
  - travellers accommodation
- (b) A sign not exceeding 1.5 square metres in area advertising the intention to sell land or premises on which it is situated.
- (c) Traffic signs, or signs denoting the name of the street, number of the premises or the location or timetable or other details of any public utility or facility.
- (d) A sign not exceeding 0.5 square metres in area bearing only the name of the premises, the professions of occupiers, and the name, occupation and hours of attendance of a person or a group of persons using the premises.

Provided that; if more than one sign is displayed on one site the aggregate area of signs shall not exceed 1.5 square metres.
- (e) A temporary sign for electioneering or other purposes provided that such sign shall not be erected without the consent of the Council and shall be subject to such conditions as the Council shall impose.
- (f) Those displayed in connection with a dairy and located below verandah level and the total area of signs not exceeding 1.8 square metres.

- (g) In the Rural Zone only, a sign not exceeding 1.1 square metres for any factory farm or other predominant use in the Rural Zone which requires the erection of such a sign, or for the sale of produce grown on the site where it is permitted under the District Scheme.

(For signs in relation to Roadside Stalls, see Part III, Rural Zone.)

Little River Comprehensive Zone - Denoted Commercial Area Only

Signs attached to any building will be such that they are contained within the general profile of the building.

Over verandah signs will be strongly discouraged because of their visual effect. Only when all other types of signs have been fully considered and found impractical will the Council consider allowing over verandah signs.

Free standing signs (i.e. not attached to a building) shall generally not exceed a height of 6m above mean ground level, nor exceed 3 square metres in size in commercial zones. reference is made, however, to the dispensation provisions.

In commercial shopping areas, preference will be given to group signs which identify the facilities rather than a number of individual signs.

045WDS01

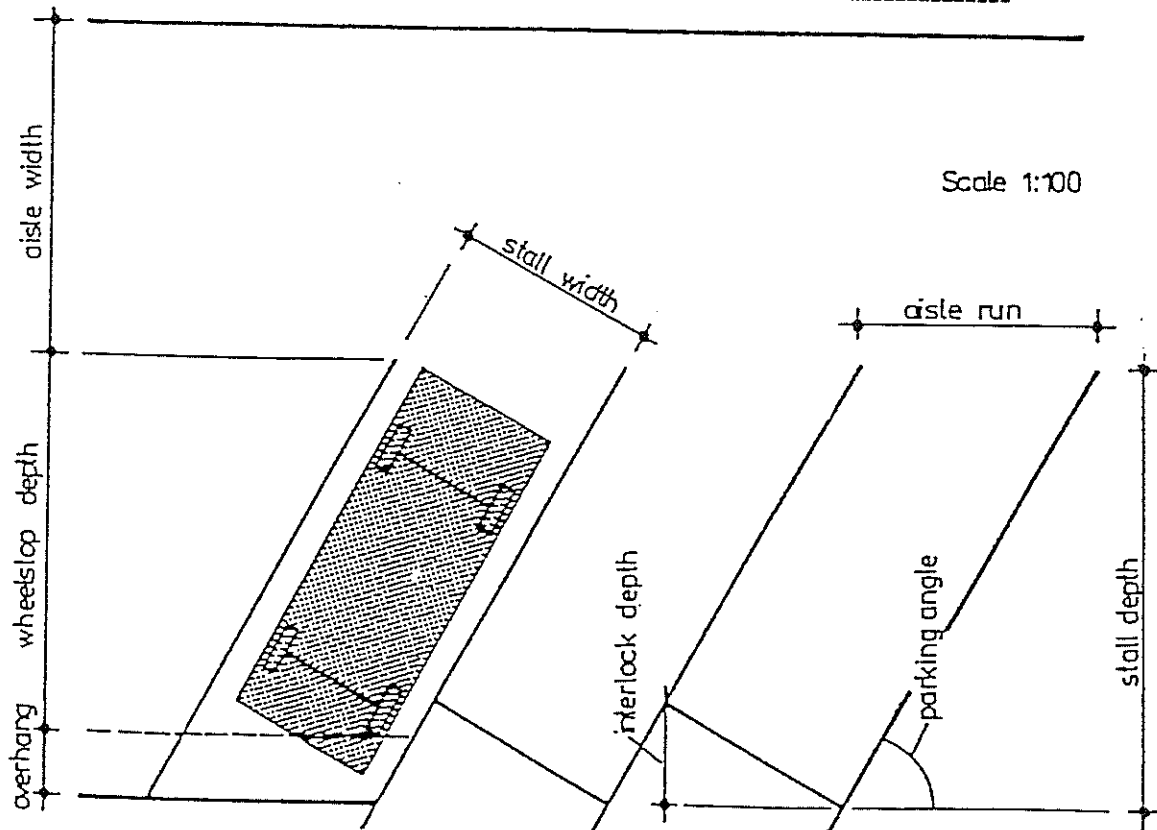


## APPENDIX A

### PARKING SPACE LAYOUTS

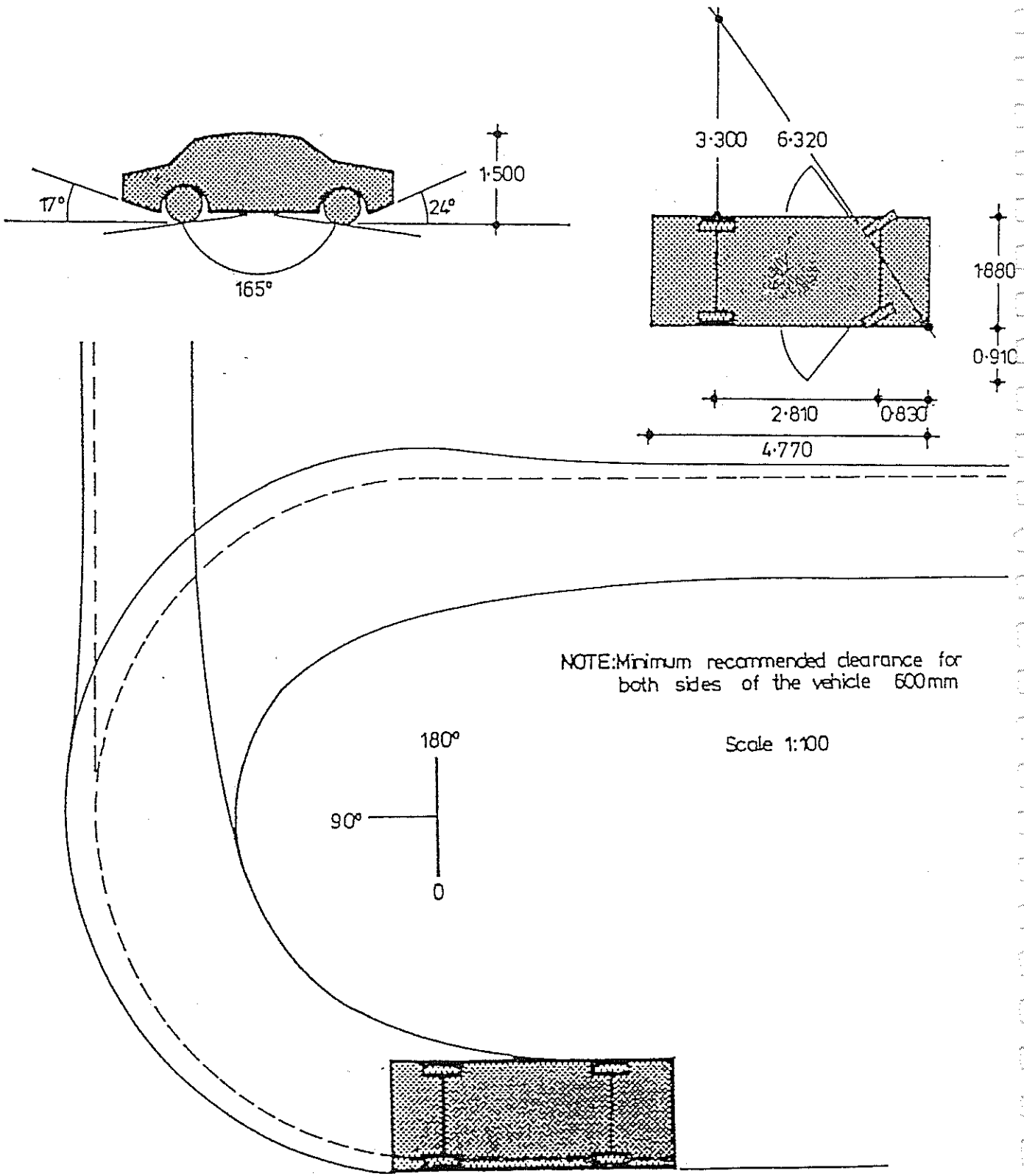
Parking Angle	Barrier/Wheelstop Parking						Interlock Parking	
	Stall Width m	Aisle Width m	Aisle Run m	Stall Depth m	Overhand m	Wheelstop Depth m	Interlock Depth m	Stall Depth m
90°	2.500	8.500	2.500					
	2.700	8.100	2.700					
	2.900	7.700	2.900	5.000	0.800	4.200		
	3.000	7.500	3.000					
75°	2.500	6.600	2.600				0.650	5.500
	2.700	6.200	2.800				0.700	5.500
	2.900	5.700	3.000	5.400	0.800	4.600	0.750	5.600
	3.000	5.400	3.100				0.800	5.600
60°	2.500	4.500	2.900				1.250	5.550
	2.700	4.000	3.100				1.350	5.650
	2.900	3.500	3.400	5.400	0.800	4.600	1.450	5.750
	3.000	3.500	3.500				1.500	5.800
45°	2.500	3.800	3.500				1.800	5.300
	2.700	3.500	3.800				1.900	5.400
	2.900	3.500	4.200	5.000	0.700	4.300	2.050	5.550
	3.000	3.500	4.200				2.100	5.600
30°	2.500	3.500	5.000				2.150	4.650
	2.700	3.500	5.400				2.300	4.800
	2.900	3.500	5.800	4.400	0.600	3.800	2.500	5.000
	3.000	3.500	6.000				2.600	5.100
Parallel Parking	Stall length = 6.100			Stall width = 2.500				
	Aisle width = 3.700							

- Notes:
- (1) Two way flow is permitted with 90° parking.
  - (2) Aisle run distances are approximate only.
  - (3) Stall widths shall be increased 300 where they abut obstructions such as columns or walls.



APPENDIX B

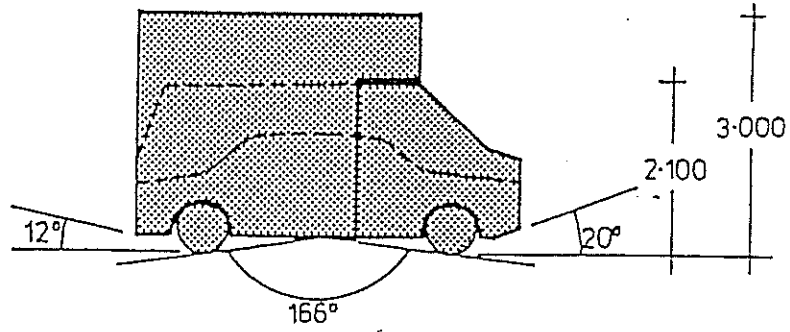
90 Percentile Design Motor Car



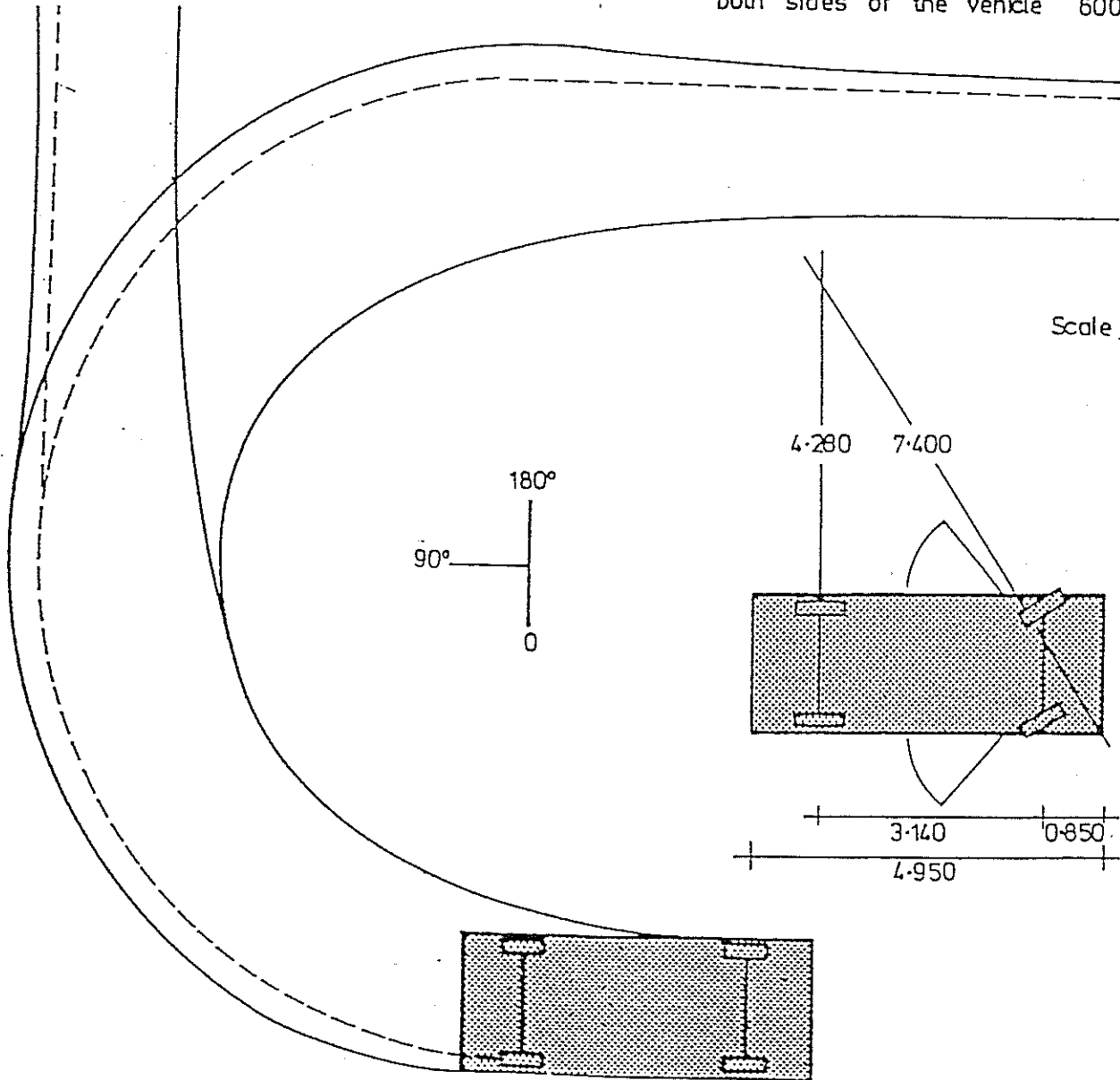


APPENDIX C

99 Percentile Design Motor Car

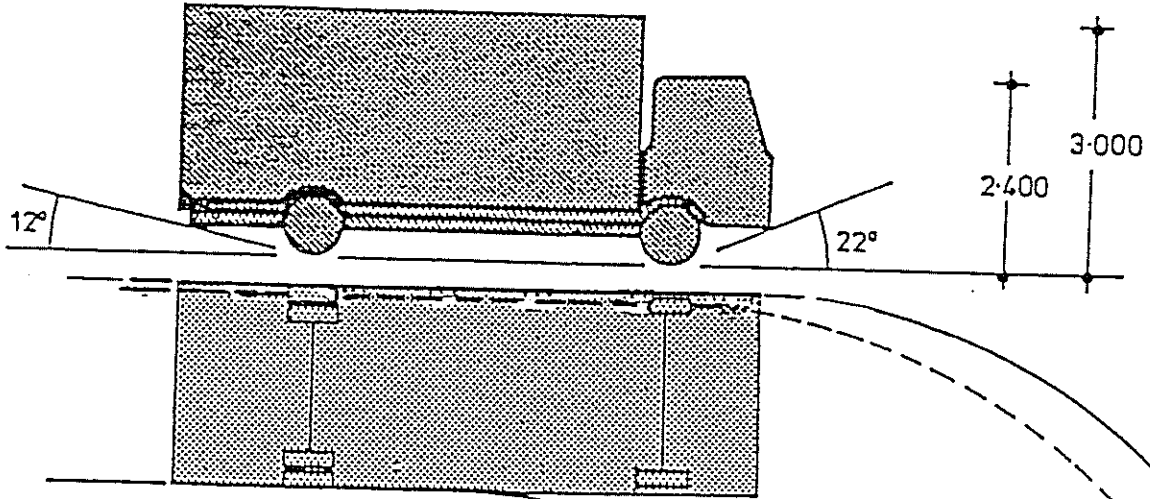


NOTE: Minimum recommended clearance for both sides of the vehicle 600mm



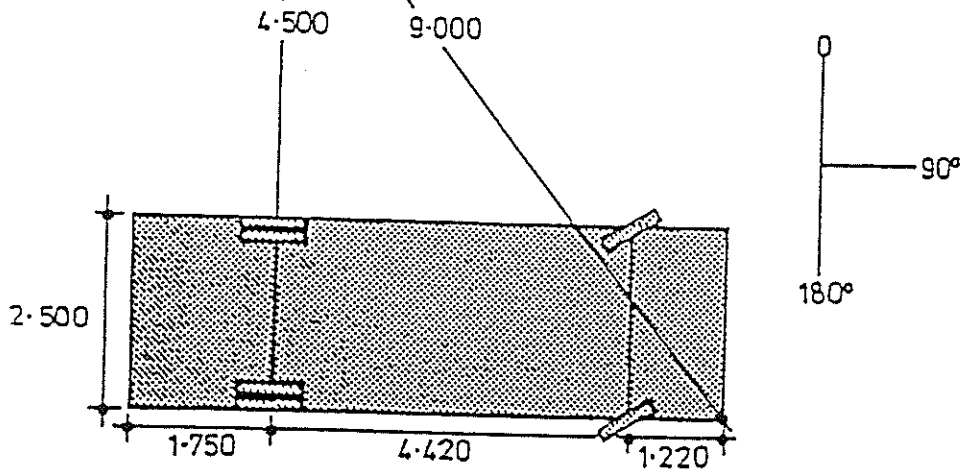
APPENDIX D

90 Percentile Design Two Axled Truck



NOTE: Minimum recommended clearance for both sides of the vehicle 600mm

Scale 1:100

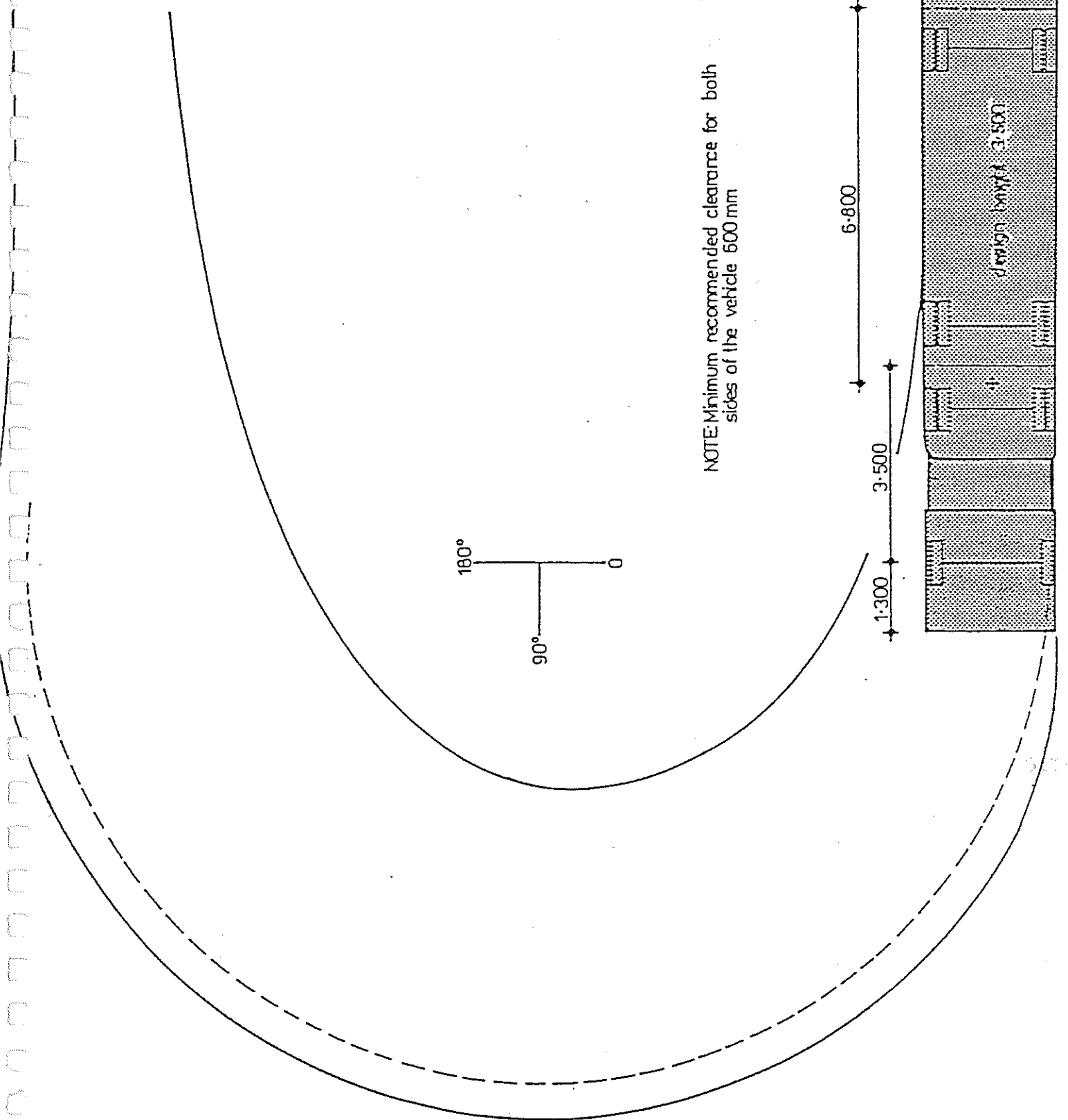




APPENDIX E

Design Articulated Truck

NOTE: Minimum recommended clearance for both sides of the vehicle 600 mm



APPENDIX F

Buildings and Places of Architectural, Historic,  
Scientific, Archaeological or Other Interest

MEIRIC MAP

Site Number		Grid Reference	Site Description
M37/	51	E2485100 N5709100	Burnt Stones
M37/	52	E2485100 N5709100	Burnt Stones
M37/	53	E2485000 N5709100	Ovens
M37/	54	E2485000 N5709100	Ovens
M37/	55	E2485000 N5709100	Ovens
M37/	56	E2485000 N5709100	Ovens
M37/	57	E2484900 N5709100	Ovens
M37/	58	E2484900 N5709100	Fire Area
M37/	59	E2484800 N5709100	Fire Area
M37/	60	E2484800 N5709100	Fire Area
M37/	61	E2484700 N5709100	Fire Area
M37/	62	E2484700 N5709100	Fire Area
M37/	63	E2484700 N5709100	Fire Area
M37/	64	E2484700 N5709100	Fire Area
M37/	65	E2484700 N5709100	Fire Area
M37/	66	E2484600 N5709100	Fire Area
M37/	67	E2484500 N5709100	Fire Area
M37/	68	E2484500 N5709100	Fire Area
M37/	69	E2483900 N5708900	Fire Area
M37/	70	E2483900 N5708900	Fire Area
M37/	71	E2483800 N5708900	Fire Area
M37/	72	E2483800 N5708900	Fire Area
M37/	73	E2483600 N5708900	Fire Area
M37/	74	E2483500 N5709000	Fire Area
M37/	75	E2478000 N5708400	Fire Area
M37/	76	E2477900 N5708500	Fire Area
M37/	77	E2477800 N5708400	Fire Area
M37/	78	E2477800 N5708400	Fire Area
M37/	79	E2477800 N5708400	Fire Area
M37/	80	E2477700 N5708400	Fire Area
M37/	81	E2477700 N5708400	Fire Area
M37/	82	E2477600 N5708700	Oven
M37/	83	E2477600 N5708700	Oven
M37/	84	E2477700 N5708700	Fire Area
M37/	85	E2477700 N5708800	Fire Area
M37/	86	E2477800 N5708700	Fire Area
M37/	87	E2477800 N5708700	Fire Area
M37/	88	E2477800 N5708700	Fire Area



M37/	89	E2477800	N5708600	Fire Area
M37/	90	E2477800	N5708600	Fire Area
M37/	91	E2477600	N5708400	Fire Area
M37/	92	E2477600	N5708400	Work Area
M37/	93	E2477600	N5708400	Work Area
M37/	94	E2477600	N5708300	Fire Area
M37/	95	E2477600	N5708200	Fire Area
M37/	96	E2477600	N5708200	Fire Area
M37/	97	E2477600	N5708200	Fire Area
M37/	98	E2477500	N5708200	Fire Area
M37/	99	E2477500	N5708200	Fire Area
M37/	100	E2477500	N5708200	Fire Area
M37/	101	E2477500	N5708200	Fire Area
M37/	102	E2480900	N5708600	Fire Area
M37/	103	E2480900	N5708600	Fire Area
M36/	36	E2478400	N5720900	Occupation
M36/	39	E2478600	N5719200	Artefact Findspot
M36/	40	E2481000	N5721300	Ovens
M36/	59	E2477100	N5721300	Pit
M37/	6	E2461600	N5705900	Midden/Ovenstones
M37/	7	E2462100	N5706000	Oven Areas
M37/	9	E2463100	N5706100	Ovens
M37/	10	E2463900	N5706800	Midden
M37/	11	E2466200	N5707300	Midden
M37/	12	E2466300	N5706500	Oven Stones
M37/	13	E2467900	N5707100	Pit/Occupation
M36/	75	E2483600	N5712500	Pa
M36/	76	E2485000	N5712400	Pa
M36/	77	E2484900	N5711800	Pa
M36/	78	E2484800	N5711200	Pits/Midden/Ovens
M36/	79	E2485600	N5710700	Pits
M37/	22	E2486500	N5709300	Pa
M37/	23	E2486600	N5709600	Pits
M37/	24	E2486800	N5709500	Pa
M37/	25	E2486900	N5709400	Cave
M37/	26	E2487100	N5709100	Pa
M37/	27	E2487900	N5709300	Pits
M37/	28	E2488200	N5709100	Midden
M36/	80	E2483700	N5710200	Midden
M37/	30	E2479000	N5709900	Midden
M37/	31	E2473900	N5707700	Ovens
N36/	82	E2491200	N5714000	Cave
N36/	83	E2491700	N5712600	Canoe Hull
M37/	32	E2489900	N5708900	Cave
N36/	84	E2493300	N5713400	Pa
N36/	85	E2493500	N5715200	Midden
N37/	12	E2491500	N5706100	Occupation Layers
M37/	33	E2486800	N5709200	Pits/Ovens/Etc
N37/	14	E2500500	N5701400	Occupation
N37/	16	E2499600	N5702400	Occupation
N37/	17	E2492500	N5704700	Terrace/Midden
M37/	34	E2489200	N5706800	Fire Area
M37/	35	E2489400	N5707800	Midden
M37/	36	E2486900	N5709100	Occupation
M37/	37	E2485000	N5709500	Artefact
M37/	38	E2484900	N5709600	Artefact

M36/	81	E2489000	N5713200	Cave
M37/	39	E2486100	N5709200	Fire & Work Area
M37/	40	E2486100	N5709100	Fire & Work Area
M37/	41	E2486000	N5709200	Fire & Work Area
M37/	42	E2486000	N5709200	Fire & Work Area
M37/	121	E2485800	N5709100	Fire Area
M37/	43	E2485700	N5709100	Fire Area
M37/	44	E2485600	N5709100	Flaking Area
M37/	45	E2485600	N5709100	Flaking Area
M37/	46	E2485600	N5709100	Flaking Area
M37/	47	E2485500	N5709000	Fire & Work Area
M37/	48	E2485200	N5709100	Fire & Work Area
M37/	18	E2495800	N5705500	Midden/Artefact
M37/	104	E2480800	N5708600	Fire Area
M37/	105	E2480800	N5708600	Fire Area
M37/	106	E2480800	N5708600	Fire Area
M37/	107	E2480800	N5708600	Fire Area
M37/	108	E2480800	N5708600	Fire Area
M37/	109	E2480800	N5708600	Fire Area
M37/	110	E2480800	N5708600	Fire Area
N37/	24	E2497000	N5703500	Midden
N37/	25	E2494200	N5705000	Midden
N37/	26	E2498500	N5703400	Midden
M37/	114	E2481900	N5708600	Artifacts
M37/	115	E2481900	N5708600	Artifacts
M37/	116	E2481900	N5708600	Artifacts
M37/	117	E2481900	N5708600	Artifacts
M37/	118	E2481800	N5708600	Artifacts
M37/	119	E2481700	N5708600	Fire Area
M37/	120	E2481700	N5708600	Artifacts
M37/	112	E2481700	N5708600	Artifacts
M37/	113	E2481700	N5708600	Artifacts



APPENDIX G

Protected Trees

The following are trees covered by the requirements of Part XI, Tree Protection:

<u>Tree</u>	<u>Location</u>
Pokaka tree (elaecarpus hookerianus)	Lot 1 DP 5685 Block XIII CT 331/126 (Canterbury Registry)

## APPENDIX H

### Forest Management Plan

A Forest Management Plan includes:

1. A plan showing the areas and species to be planted. If this is to be carried out over more than one planting season, an indication of the intended sequence of planting is required.
2. An indication of initial planting densities and the expected timing of thinning and pruning.
3. A description of the proposed land preparation (scrub clearing, formation of vehicle tracks, fencing, etc.)
4. A description of the likely harvesting methods and timing. (The Council wishes to ensure that adequate consideration has been given to such matters in the planning stages and does not require a firm commitment to specific methods or timing.)

Forest Management Plans shall be prepared to a professional standard and comply with guidelines published by the National Water and Soil Conservation Organisation 1978 and any subsequent revision. (Note: these guidelines are available from the Water and Soil Division, Ministry of Works and Development or from the Council. They deal with matters such as earthworks including roading, tracking and forest landings, site preparation, establishment and tending of forests, extraction of forest produce and land management after extraction.)



## APPENDIX I

### Forest Harvest Notice

The purpose of a Forest Harvest Notice is to enable the Council to be informed of any impending harvest of forest produce. If necessary, the Council can make allowances in its road maintenance programme to cope more adequately with the effect of logging trucks and discuss the costs and implications of this with any affected parties. It may be necessary for instance to delay sealing until after logging activity or to complete certain maintenance before it begins. A Forest Harvest Notice shall include the following information on tree felling:

1. A plan showing the area to be harvested.
2. An indication of the nature and volume of forest produce to be removed.
3. An indication of the harvesting methods to be employed, including any earthworks and the approximate timing of these operations.
4. An indication of the means of transport, the routes to be followed and the intended frequency and timing of truck movements. (Note: danger and delay for other road users can be avoided by avoiding operations during weekends, public holidays and holiday periods.)
5. A description of the proposed rehabilitation of the site and the intended replanting or alternative uses.
6. Information about the proposed disposal methods of any effluent.

APPENDIX J

Former NWASCO Guidelines

Former National Water and Soil Conservation Organisation (NWASCO) Guidelines

Published 1978 by Water and Soil Division, Ministry of Works and Development for NWASCO.

They are:-

"Prepared to assist persons and organisation involved in forestry operations. The objectives, principles and implementation of a policy to protect and safeguard the country's water and soil resources in forest areas are covered. Main subjects covered are earthworks including roading, tracking and forest landings, site preparation, establishment and tending of forests, extraction of forest produce and management after extraction and notes on relevant legislation.

(Quote from Abstract)



APPENDIX K

Industries, Bulk Storage, Warehouses and Industrial Processes  
Requiring Segregation Because of Noxious or Dangerous Elements

Abattoirs and slaughterhouses (including freezing and packaging of products)  
Alkali - waste works  
Ammunition, explosives and fireworks manufacture and bulk storage  
Animal by-products manufacture (including bone crushing, boiling-down work, fat rendering, tallow melting and refining)  
Arsenic works and production  
Asbestos manufacture  
Battery manufacture  
Boiler manufacture  
Brick and tile manufacture  
Briquette manufacture  
Celluloid works  
Cement - manufacture, packaging and bag cleaning  
Carbonising, gasification and liquification of carbonaceous material (including hydrocarbons) and bulk storage and treatment of by-products  
Chlorine, ammonia, bleaching powder manufacture  
Detergent manufacture  
Fell mongering  
Fertilizer and manure manufacture  
Fibreglass manufacture  
Fish curing, cleaning, preserving, treatment of by-products excluding:  
\* industries where any such process is ancillary to the principal use  
Fluoride works  
Fuel and lubrication oils - refining, purification, reforming, distillation, blending and bulk storage  
Gas (coal, acetylene, ammonia, oxygen, sulphurdioxide) manufacture, bulk storage and treatment of by-products  
Gelatine manufacture  
Glass manufacture  
Glue (animal based) manufacture  
Industrial chemicals manufacture  
Lampblack manufacture  
Leadworks, including white lead manufacture  
Lime manufacture and packing and bag cleaning  
Linoleum manufacture  
Lucerne dehydration plant and bulk storage  
Paint, varnish, french polish, lacquer and stains manufacture  
Paper and pulp manufacture  
Patent and synthetic fuel manufacture and bulk storage

Petroleum and petroleum based products manufacture including L.P.G. and associated bulk storage, handling and distribution facilities excluding:

- \* service stations
- \* retail outlets and industries where storage is ancillary to the principal use

P.V.C. manufacture  
Plaster of Paris manufacture  
Pyridine works  
Raw material plastics manufacture  
Raw rubber preparation  
Rubber (latex) carpet underlay and moulded goods manufacture  
Sausage casing manufacture  
Smelting, and secondary smelting of metal ore, metal alloys (including scrap metal) and non-ferrous metals  
Soap manufacture  
Stock and sale yards  
Stone and mineral crushing  
Sugar extraction and refining  
Tanning and curing of hides, skins and furs  
Turpentine manufacture  
Wood scouring  
Wallboards manufacture excluding:

- \* fibrous plaster and plaster wallboards

Zinc works

Or any other industry, warehouse, or bulk storage that is, or under any conditions may become, noxious or dangerous in relation to adjacent areas.



## APPENDIX L

### Roading Hierarchy

#### Minor Arterial Roads

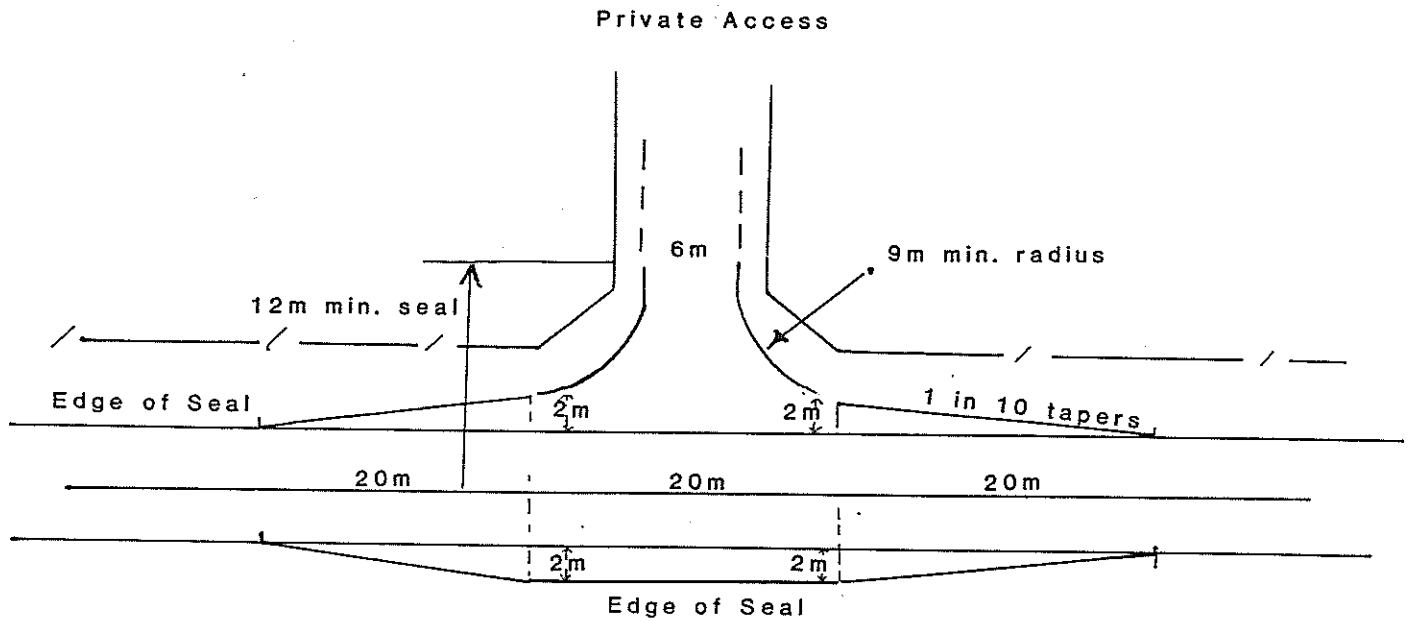
- State Highway 75 (The Christchurch Akaroa Road);
- Gebbies Pass Road from the intersection with State Highway 75 to the County Boundary;
- The Summit Road from Gebbies Pass Road to the County Boundary (the formed section only).

#### Local Roads

All the other roads in the County are defined as local roads.

APPENDIX M

Traffic Engineering Requirements for Stalls with Access to  
State Highways and/or Major Arterial Roads



Access from Major Arterial Routes

On major arterial routes, access to rural properties which are likely to be in frequent daily use shall have the following dimensions:

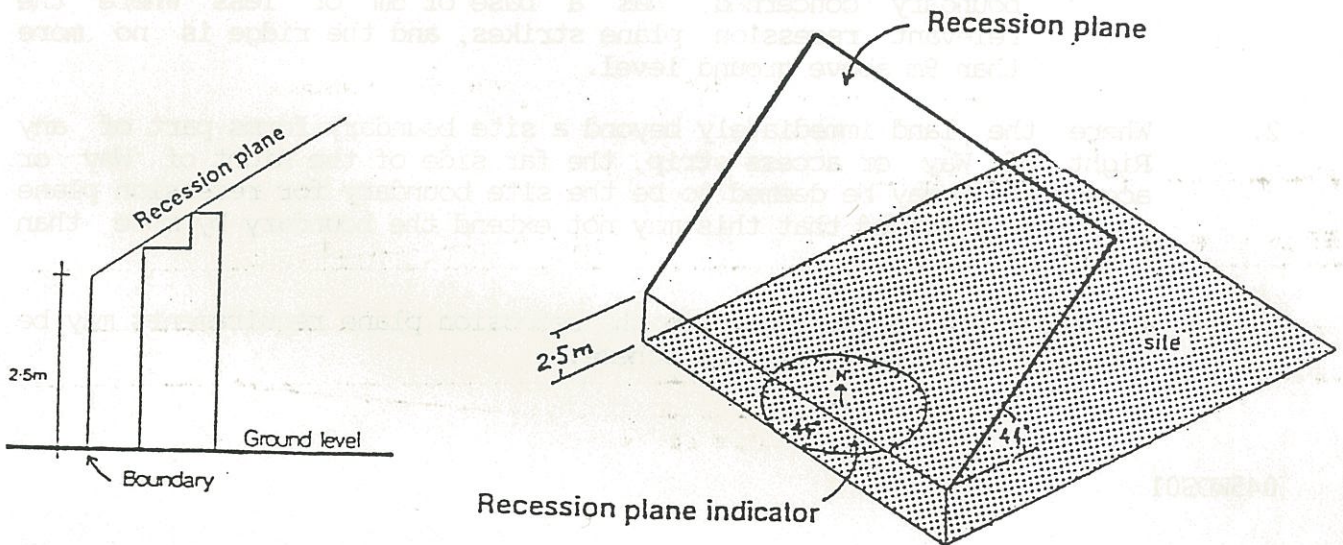
- (i) 1 in 10 sealed tapers to a maximum width of 2m, terminating 10m on either side of the access centreline.
- (ii) Between the end of the tapers and the edge of the accessway, construct access carriageway to 9m radius. The entrance to be sealed to a point 12m from the edge of the existing seal.
- (iii) A 2m wide, 20m long, sealed passing lane opposite the entrance, with 1 in 10 sealed tapers before and after it.



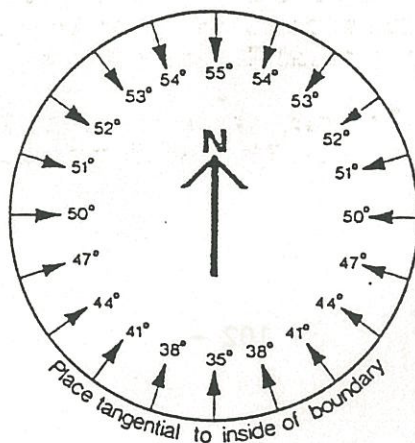
APPENDIX N

Recession Planes

Recession planes are imposed to ensure that buildings do not unduly affect the sunlight and outlook of residential neighbours. A recession plane is an imaginary surface extending inwards from a point 2.5m above a site boundary. It slopes upwards from the site boundary so that the further a building is set back the higher it can be. Recession planes constructed in this way from all internal site boundaries form a building envelope within which construction can occur. The concept of a recession plane is illustrated by the following diagrams:



The angle of inclination of a recession plane depends upon the orientation of the boundary in question. In order to arrive at the appropriate angle, a recession plane indicator is used. This is in the form of a disc which is used in conjunction with a plan of the site. It is illustrated in the following diagram:





The disc must always be oriented to true north and placed on the plan inside and adjacent to the boundary concerned. The recession angle is determined by where the boundary touches the circle and if this occurs between marked angles, interpolations may be made. As an indication of the effect of a recession plane a 55° angle allows an increase of 1.4m in height for each metre of setback from the boundary. At the boundary therefore the maximum height would be 2.5 m while with a 3m setback a height of 6.7m would be permissible.

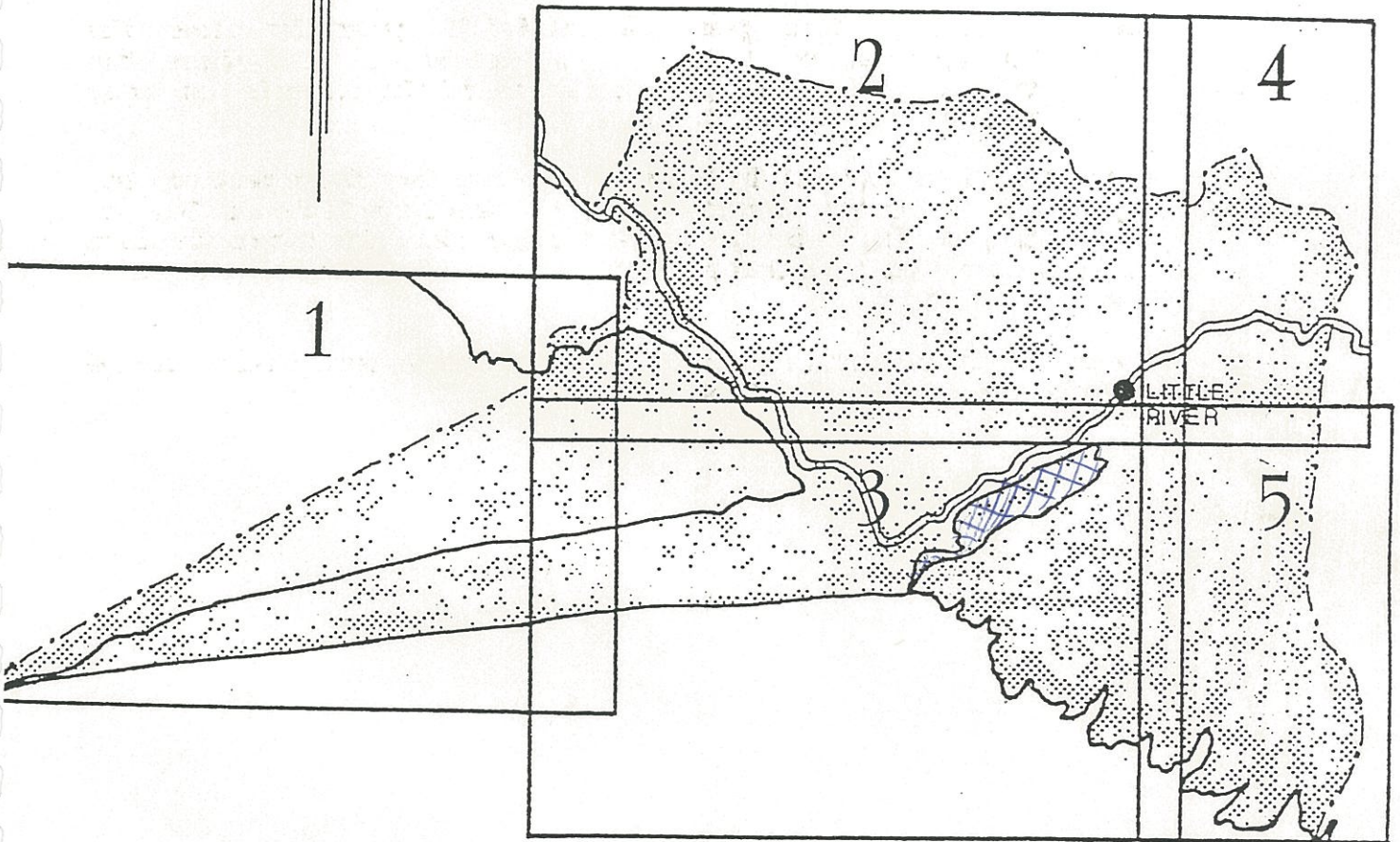
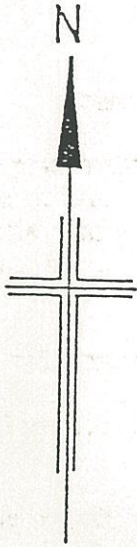
#### Exceptions to the Recession Plane Requirements

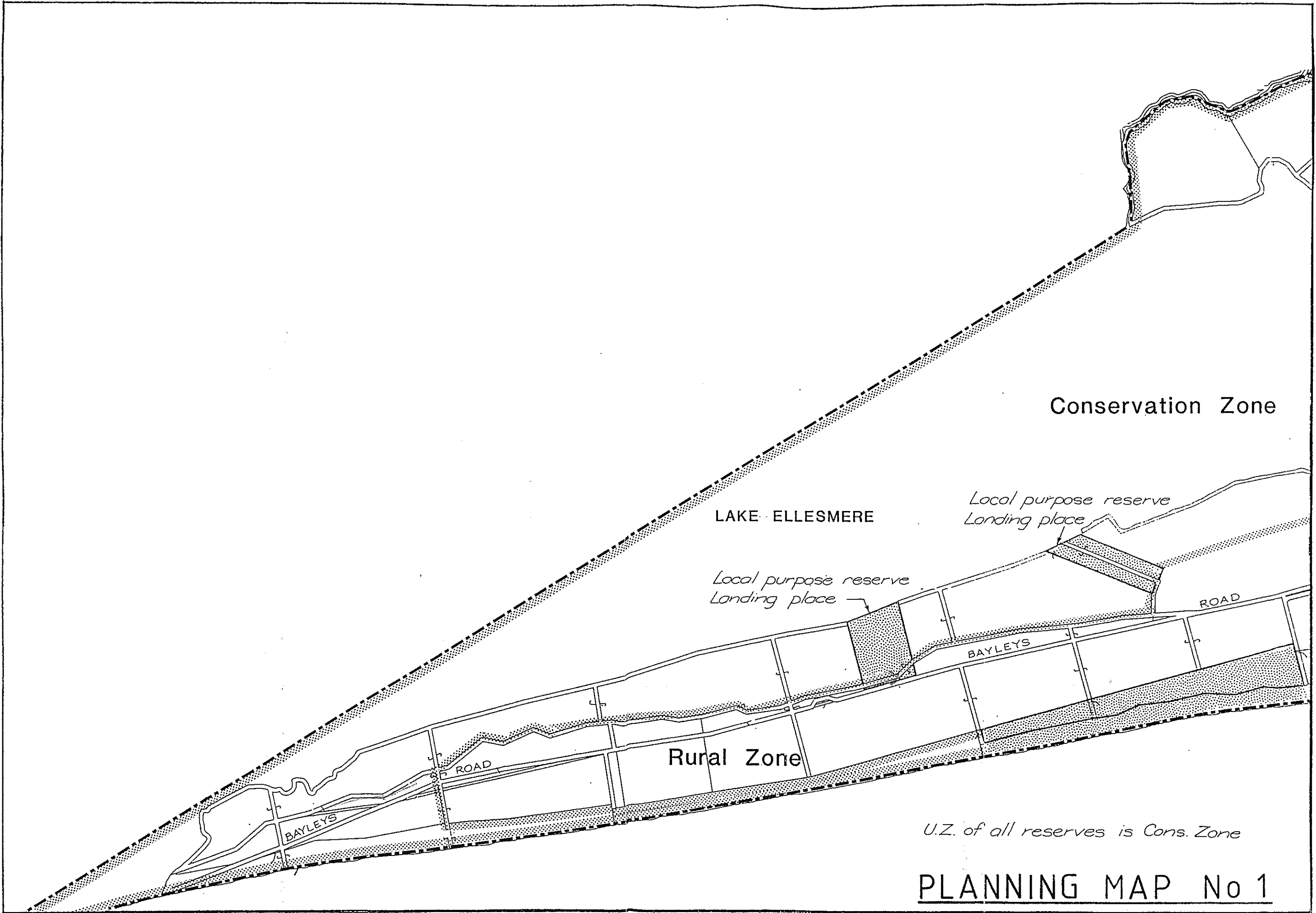
1. The following features may penetrate recession planes:
  - i) Dormers, chimneys, ventilation shafts, roof water tanks, lift shafts, stair shafts and spires, poles and masts less than 9m above ground level (provided that the maximum dimension of these shall not exceed 3m measured parallel to the relevant boundary).
  - ii) A gable end may protrude provided it generally faces the boundary concerned, has a base of 5m or less where the relevant recession plane strikes, and the ridge is no more than 9m above ground level.
2. Where the land immediately beyond a site boundary forms part of any Right of Way or access strip, the far side of the Right of Way or access strip may be deemed to be the site boundary for recession plane purposes provided that this may not extend the boundary by more than 6.0m.
3. Dispensations to infringe upon the recession plane requirements may be sought - see page 37 of this scheme.

045WDS01



INDEX TO PLANNING MAPS.





Conservation Zone

LAKE ELLESMERE

*Local purpose reserve  
Landing place*

*Local purpose reserve  
Landing place*

ROAD

BAYLEYS

Rural Zone

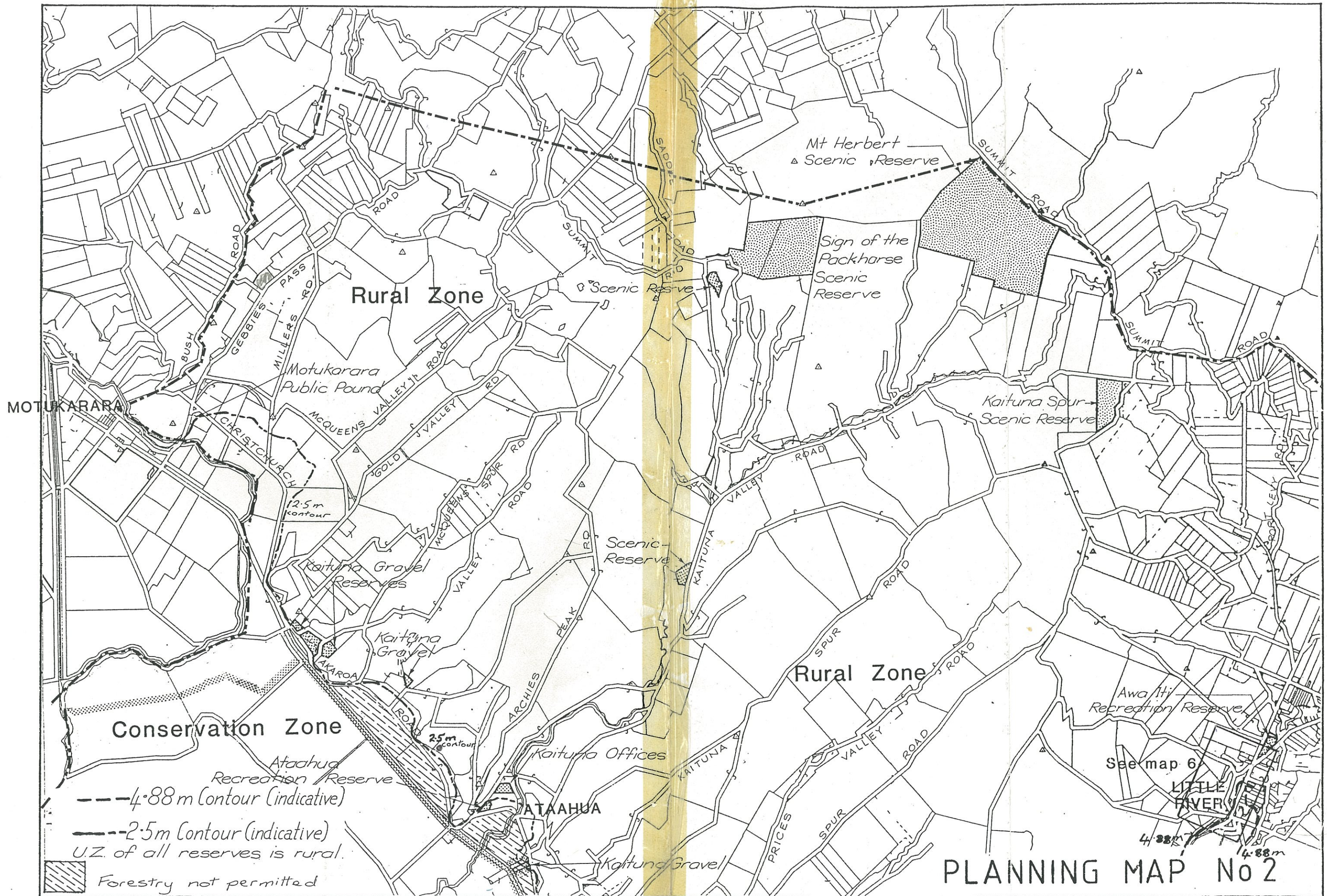
ROAD

BAYLEYS

*U.Z. of all reserves is Cons. Zone*

**PLANNING MAP No 1**

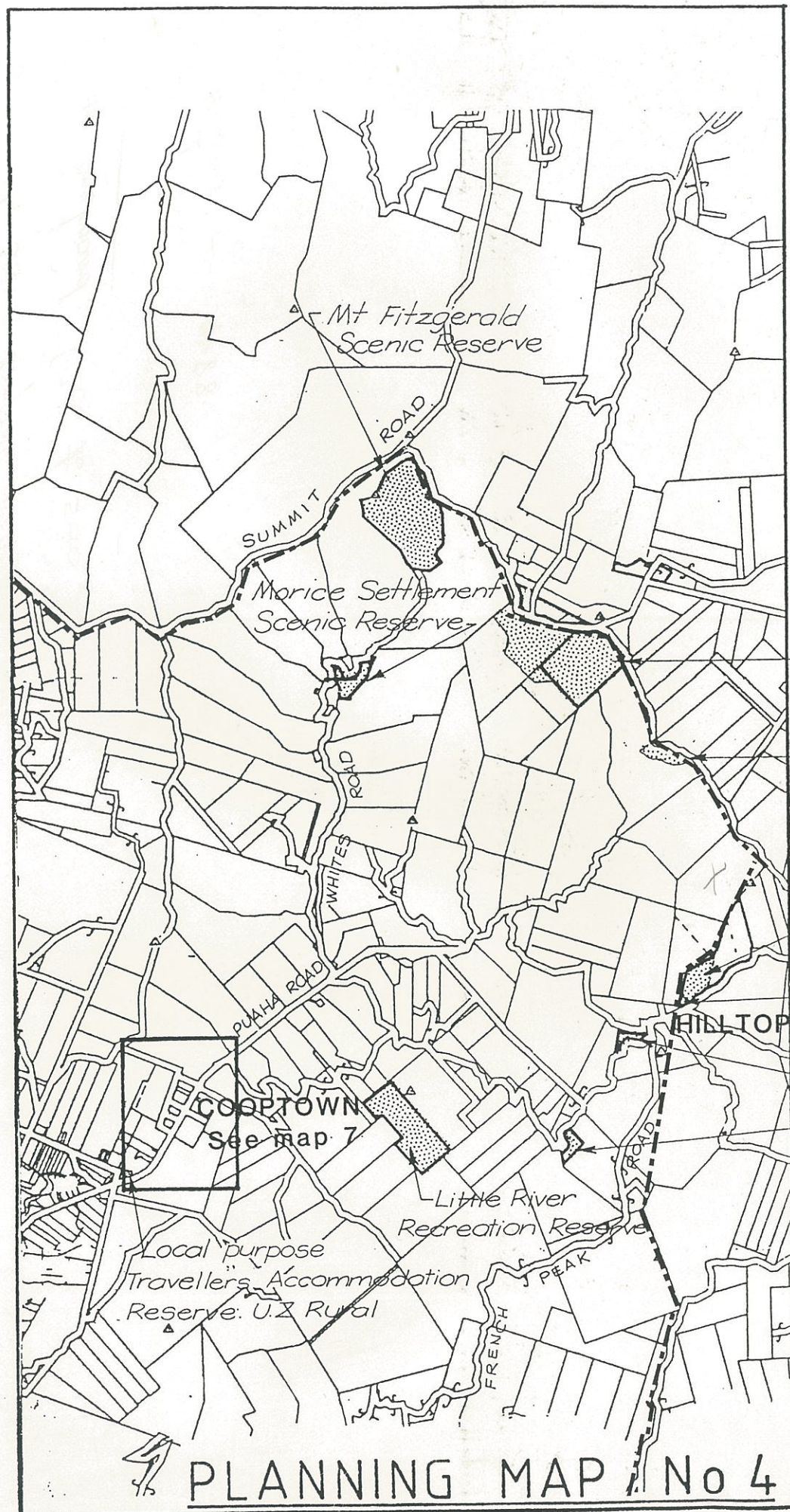








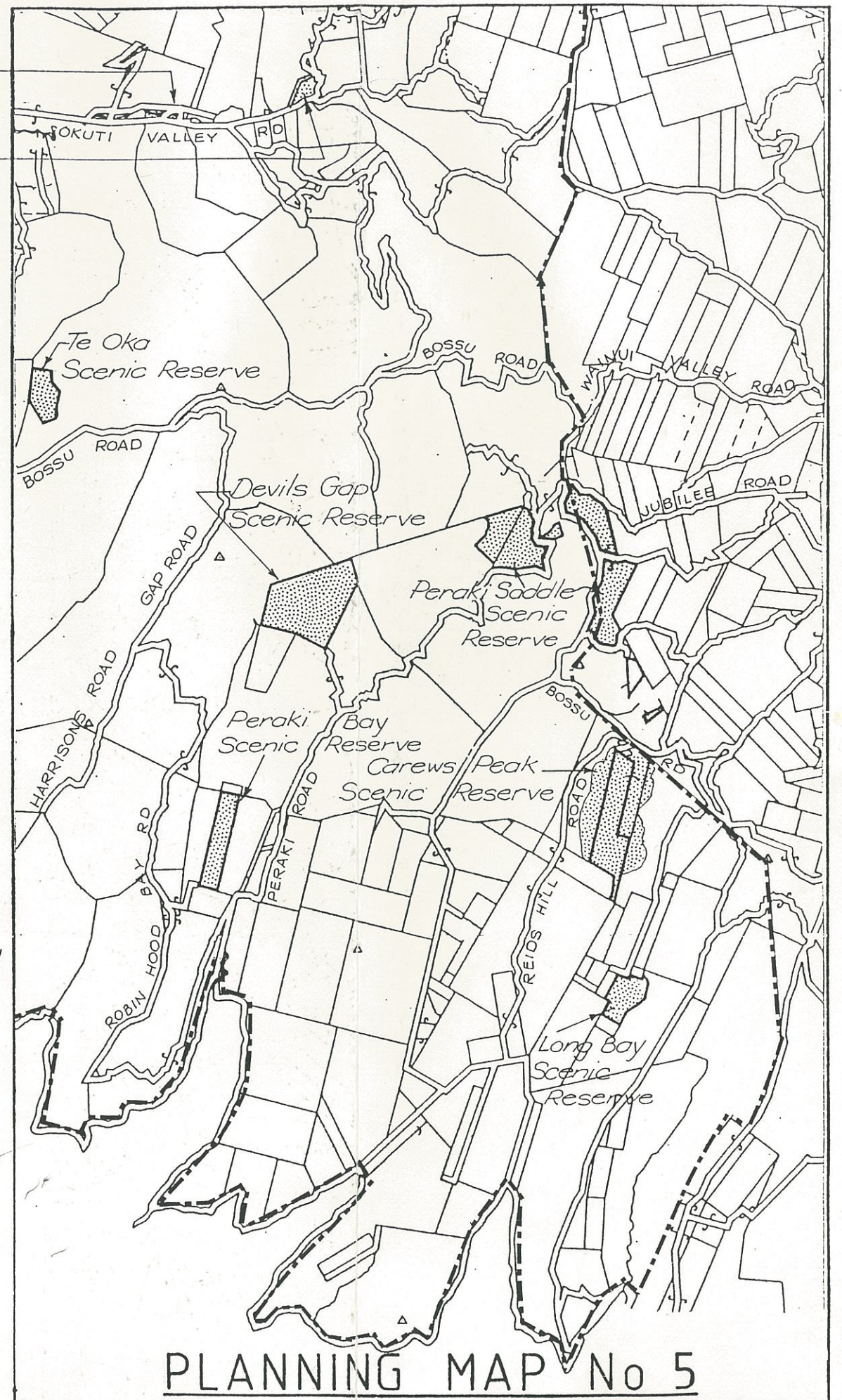




PLANNING MAP No 4

Okuti Valley  
Recreation Reserve

Okuti Valley  
Scenic Reserve



PLANNING MAP No 5

Mt Sinclair Scenic Reserve

Purau Track Scenic Reserve

Montgomery Park  
Scenic Reserve U.Z. Rural

Montgomery Park  
Recreation Reserve U.Z. Rural

Hilltop depot reserve U.Z. Rural

Hilltop gravel reserve U.Z. Rural



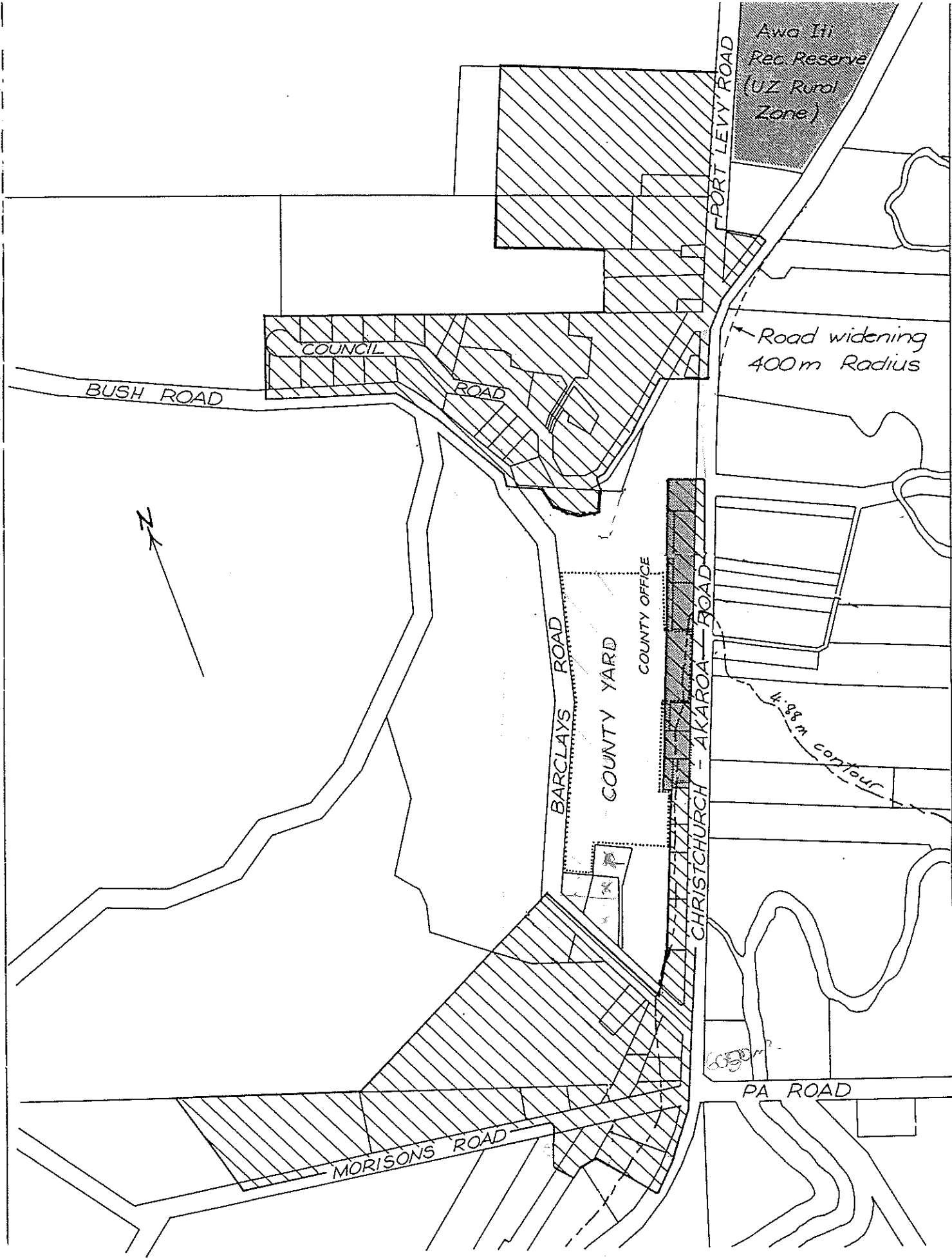
5-38 highest recorded level

+ freeboard. (300 to 500.)

Centers - 4.88.







Note: Contour levels are indicative only

 Denoted Commercial Area

**LITTLE RIVER**  
**COMPREHENSIVE ZONE**

**MAP 6**

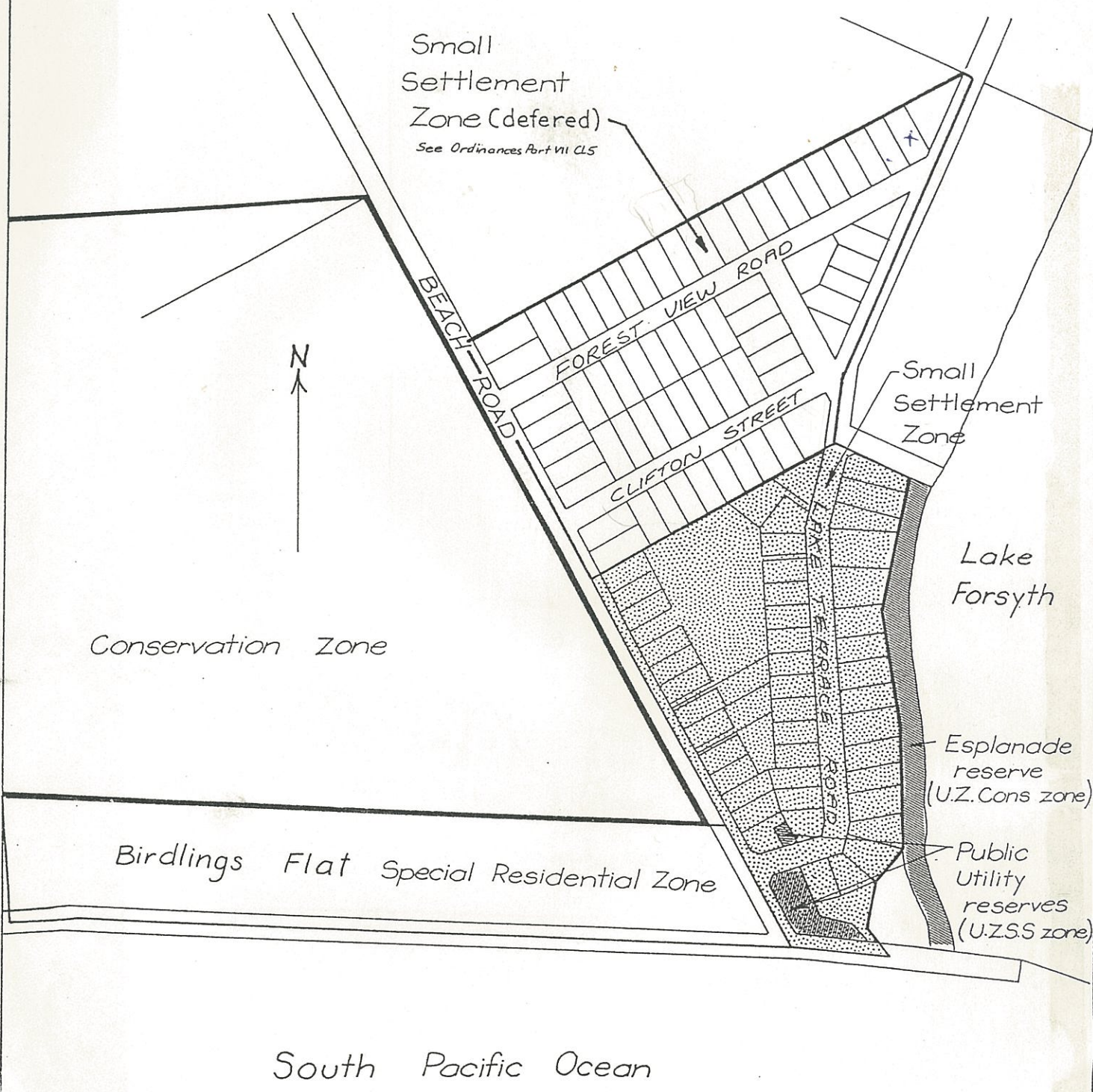
Scale 1:5000



COOPTOWN MAP 7  
SMALL SETTLEMENT ZONE

Scale 1:5000





Small Settlement Zone (deferred)  
 See Ordinances Part VII CL5

Small Settlement Zone

Lake Forsyth

Conservation Zone

Esplanade reserve (U.Z. Cons zone)

Birdlings Flat Special Residential Zone

Public Utility reserves (U.Z.S.S zone)

South Pacific Ocean

BIRDLINGS FLAT

MAP 8

Scale 1:5000

